

By: Dutton

H.J.R. No. 88

A JOINT RESOLUTION

1 proposing a constitutional amendment to lengthen the period for  
2 redeeming the residence homestead of an elderly person sold at an ad  
3 valorem tax sale.

4 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Section 13(c), Article VIII, Texas Constitution,  
6 is amended to read as follows:

7 (c) The former owner of a residence homestead, land  
8 designated for agricultural use, or a mineral interest sold for  
9 unpaid taxes has [~~shall within two years from date of the filing for~~  
10 ~~record of the Purchaser's Deed have~~] the right to redeem the  
11 property within two years from the date of filing of the purchaser's  
12 deed or, if the property was the residence homestead of a person who  
13 is 65 years of age or older, within four years from the date of  
14 filing of the purchaser's deed on the following basis:

15 (1) Within the first year of the redemption period,  
16 upon the payment of the amount of money paid for the property,  
17 including the Tax Deed Recording Fee and all taxes, penalties,  
18 interest, and costs paid plus an amount not exceeding 25 percent of  
19 the aggregate total; and

20 (2) Within the remainder [~~last year~~] of the redemption  
21 period, upon the payment of the amount of money paid for the  
22 property, including the Tax Deed Recording Fee and all taxes,  
23 penalties, interest, and costs paid plus an amount not exceeding 50  
24 percent of the aggregate total.

1 SECTION 2. The following temporary provision is added to  
2 the Texas Constitution:

3 TEMPORARY PROVISION. (a) This temporary provision applies  
4 to the constitutional amendment proposed by the 88th Legislature,  
5 Regular Session, 2023, to lengthen the period for redeeming the  
6 residence homestead of an elderly person sold at an ad valorem tax  
7 sale.

8 (b) The amendment to Section 13(c), Article VIII, of this  
9 constitution takes effect January 1, 2024.

10 (c) The amendment applies only to the redemption of real  
11 property sold at a tax sale for which the purchaser's deed is filed  
12 for record on or after the effective date of the amendment. The  
13 redemption of real property sold at a tax sale for which the  
14 purchaser's deed is filed for record before the effective date of  
15 the amendment is governed by the former law, and the former law is  
16 continued in effect for that purpose.

17 (d) This temporary provision expires January 1, 2026.

18 SECTION 3. This proposed constitutional amendment shall be  
19 submitted to the voters at an election to be held November 7, 2023.  
20 The ballot shall be printed to permit voting for or against the  
21 proposition: "The constitutional amendment to lengthen the period  
22 for redeeming the residence homestead of a person 65 years of age or  
23 older sold at an ad valorem tax sale."