

By: Parker

S.B. No. 1956

A BILL TO BE ENTITLED

AN ACT

1
2 relating to an exemption from ad valorem taxation of the residence
3 homestead of a Congressional Medal of Honor recipient or the
4 surviving spouse of a Congressional Medal of Honor recipient.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. Subchapter B, Chapter 11, Tax Code, is amended by
7 adding Section 11.136 to read as follows:

8 Sec. 11.136. RESIDENCE HOMESTEAD OF CONGRESSIONAL MEDAL OF
9 HONOR RECIPIENT. (a) In this section:

10 (1) "Congressional Medal of Honor recipient" means a
11 person who has been awarded the Congressional Medal of Honor.

12 (2) "Residence homestead" has the meaning assigned by
13 Section 11.13.

14 (3) "Surviving spouse" means the individual who was
15 married to a Congressional Medal of Honor recipient at the time of
16 the recipient's death.

17 (b) A Congressional Medal of Honor recipient is entitled to
18 an exemption from taxation of the total appraised value of the
19 recipient's residence homestead.

20 (c) The surviving spouse of a Congressional Medal of Honor
21 recipient is entitled to an exemption from taxation of the total
22 appraised value of the surviving spouse's residence homestead if
23 the surviving spouse has not remarried since the death of the
24 recipient.

1 SECTION 2. Section 11.42(e), Tax Code, is amended to read as
2 follows:

3 (e) A person who qualifies for an exemption under Section
4 11.131, 11.136, or 11.35 after January 1 of a tax year may receive
5 the exemption for the applicable portion of that tax year
6 immediately on qualification for the exemption.

7 SECTION 3. Section 11.43(c), Tax Code, is amended to read as
8 follows:

9 (c) An exemption provided by Section 11.13, 11.131, 11.132,
10 11.133, 11.134, 11.136, 11.17, 11.18, 11.182, 11.1827, 11.183,
11 11.19, 11.20, 11.21, 11.22, 11.23(a), (h), (j), (j-1), or (m),
12 11.231, 11.254, 11.27, 11.271, 11.29, 11.30, 11.31, 11.315, or
13 11.35, once allowed, need not be claimed in subsequent years, and
14 except as otherwise provided by Subsection (e), the exemption
15 applies to the property until it changes ownership or the person's
16 qualification for the exemption changes. However, except as
17 provided by Subsection (r), the chief appraiser may require a
18 person allowed one of the exemptions in a prior year to file a new
19 application to confirm the person's current qualification for the
20 exemption by delivering a written notice that a new application is
21 required, accompanied by an appropriate application form, to the
22 person previously allowed the exemption. If the person previously
23 allowed the exemption is 65 years of age or older, the chief
24 appraiser may not cancel the exemption due to the person's failure
25 to file the new application unless the chief appraiser complies
26 with the requirements of Subsection (q), if applicable.

27 SECTION 4. Section 26.10(c), Tax Code, is amended to read as

1 follows:

2 (c) If the appraisal roll shows that a residence homestead
3 exemption under Section [11.131](#) or 11.136 applicable to a property
4 on January 1 of a year terminated during the year, the tax due
5 against the residence homestead is calculated by multiplying the
6 amount of the taxes that otherwise would be imposed on the residence
7 homestead for the entire year had the individual not qualified for
8 the applicable exemption [~~under Section [11.131](#)~~] during the year by
9 a fraction, the denominator of which is 365 and the numerator of
10 which is the number of days that elapsed after the date the
11 exemption terminated.

12 SECTION 5. Section [26.1125](#), Tax Code, is amended to read as
13 follows:

14 Sec. 26.1125. CALCULATION OF TAXES ON RESIDENCE HOMESTEAD
15 OF 100 PERCENT OR TOTALLY DISABLED VETERAN OR CONGRESSIONAL MEDAL
16 OF HONOR RECIPIENT. (a) If a person qualifies for an exemption
17 under Section [11.131](#) or 11.136 after the beginning of a tax year,
18 the amount of the taxes on the residence homestead of the person for
19 the tax year is calculated by multiplying the amount of the taxes
20 that otherwise would be imposed on the residence homestead for the
21 entire year had the person not qualified for the applicable
22 exemption [~~under Section [11.131](#)~~] by a fraction, the denominator of
23 which is 365 and the numerator of which is the number of days that
24 elapsed before the date the person qualified for the applicable
25 exemption [~~under Section [11.131](#)~~].

26 (b) If a person qualifies for an exemption under Section
27 [11.131](#) or 11.136 with respect to the property after the amount of

1 the tax due on the property is calculated and the effect of the
2 qualification is to reduce the amount of the tax due on the
3 property, the assessor for each taxing unit shall recalculate the
4 amount of the tax due on the property and correct the tax roll. If
5 the tax bill has been mailed and the tax on the property has not been
6 paid, the assessor shall mail a corrected tax bill to the person in
7 whose name the property is listed on the tax roll or to the person's
8 authorized agent. If the tax on the property has been paid, the tax
9 collector for the taxing unit shall refund to the person who was the
10 owner of the property on the date the tax was paid the amount by
11 which the payment exceeded the tax due.

12 SECTION 6. Section [403.302\(d-1\)](#), Government Code, is
13 amended to read as follows:

14 (d-1) For purposes of Subsection (d), a residence homestead
15 that receives an exemption under Section [11.131](#), [11.133](#), [~~or~~]
16 [11.134](#), [or 11.136](#), Tax Code, in the year that is the subject of the
17 study is not considered to be taxable property.

18 SECTION 7. Section [11.136](#), Tax Code, as added by this Act,
19 applies only to ad valorem taxes imposed for a tax year that begins
20 on or after the effective date of this Act.

21 SECTION 8. This Act takes effect January 1, 2024, but only
22 if the constitutional amendment proposed by the 88th Legislature,
23 Regular Session, 2023, authorizing the legislature to provide for
24 an exemption from ad valorem taxation of all or part of the market
25 value of the residence homestead of a Congressional Medal of Honor
26 recipient or the surviving spouse of a Congressional Medal of Honor
27 recipient is approved by the voters. If that constitutional

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1 amendment is not approved by the voters, this Act has no effect.