

By: Miles

S.J.R. No. 38

A JOINT RESOLUTION

1 proposing a constitutional amendment to authorize the legislature  
2 to provide for the continuation of a limitation on the maximum  
3 appraised value of a residence homestead for ad valorem tax  
4 purposes if the property is acquired by and qualifies as the  
5 homestead of an heir of the owner or the owner's spouse or surviving  
6 spouse.

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

8 SECTION 1. Section 1(i), Article VIII, Texas Constitution,  
9 is amended to read as follows:

10 (i) Notwithstanding Subsections (a) and (b) of this  
11 section, the Legislature by general law may limit the maximum  
12 appraised value of a residence homestead for ad valorem tax  
13 purposes in a tax year to the lesser of the most recent market value  
14 of the residence homestead as determined by the appraisal entity or  
15 110 percent, or a greater percentage, of the appraised value of the  
16 residence homestead for the preceding tax year. A limitation on  
17 appraised values authorized by this subsection:

18 (1) takes effect as to a residence homestead on the  
19 later of the effective date of the law imposing the limitation or  
20 January 1 of the tax year following the first tax year the owner  
21 qualifies the property for an exemption under Section 1-b of this  
22 article; and

23 (2) expires on January 1 of the first tax year that  
24 none of the following individuals qualify for an exemption under

1 Section 1-b of this article with respect to the property:

2                   (A) [~~neither~~] the owner of the property when the  
3 limitation took effect;

4                   (B) [~~nor~~] the owner's spouse or surviving spouse;  
5 or

6                   (C) the first heir of an individual described by  
7 Paragraph (A) or (B) of this subdivision to acquire the property  
8 [~~qualifies for an exemption under Section 1-b of this article~~].

9           SECTION 2. This proposed constitutional amendment shall be  
10 submitted to the voters at an election to be held November 7, 2023.  
11 The ballot shall be printed to permit voting for or against the  
12 proposition: "The constitutional amendment to authorize the  
13 legislature to provide for the continuation of a limitation on the  
14 maximum appraised value of a residence homestead for ad valorem tax  
15 purposes if the property is acquired by and qualifies as the  
16 homestead of an heir of the owner or the owner's spouse or surviving  
17 spouse."