

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 88TH LEGISLATIVE REGULAR SESSION

May 24, 2023

TO: Honorable Dade Phelan, Speaker of the House, House of Representatives

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB1228 by Metcalf (Relating to the right of a property owner or the owner's agent to receive on request a copy of the information used to appraise the owner's property for ad valorem tax purposes.),
As Passed 2nd House

No significant fiscal implication to the State is anticipated.

The bill would amend Section 1.07 of the Tax Code, relating to the delivery of notice, to make electronic communications available by selection of the property owner, rather than by mutual agreement between the owner and local tax officials. The bill would define "communication" as a notice, rendition, application form, completed application, report, filing, statement, appraisal review board order, bill, or other item of information required or permitted under the law. The bill would require a tax official to establish a procedure to allow a property owner or a property owner's representative to make the election for electronic delivery. The bill would require the election be made in writing on a form prescribed by the Comptroller. In addition to prescribing acceptable media, formats, content, and methods for electronic communications by Comptroller rule, the bill requires the Comptroller to adopt guidelines for tax officials to implement the electronic delivery of communications.

The bill would amend Chapter 25 of the Tax Code, relating to Local Appraisal to require a chief appraiser, at the request of a property owner or property owner's agent, to provide without a fee, electronically or by mail, a copy of the records, supporting data, schedules, and other material and information the owner or agent is entitled to under existing law. The bill would require a private appraisal firm to provide electronically or by mail and without a fee, all information pertaining to the property that the firm considered in appraising the property, including information showing each method of appraisal used to determine the value of the property and all calculations, personal notes, correspondence, and working papers used in appraising the property with respect to property appraised by the firm under contract with the district.

Provisions of the bill relating to electronic delivery of communication would take effect January 1, 2024 and apply to the 2024 tax year for appraisal districts in counties with a population of 120,000 or more and in tax year 2025 for appraisal districts in counties with populations less than 120,000. Otherwise, the bill would take effect January 1, 2024.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 304 Comptroller of Public Accounts

LBB Staff: JMc, AF, BRI, KK, SD