

By: Bell of Montgomery

H.B. No. 252

A BILL TO BE ENTITLED

AN ACT

relating to an exemption from ad valorem taxation of the total appraised value of the residence homesteads of certain elderly persons and their surviving spouses.

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

SECTION 1. Section 11.13, Tax Code, is amended by amending Subsection (i) and adding Subsections (s) and (t) to read as follows:

(i) The assessor and collector for a taxing unit may disregard the exemptions authorized by Subsection (b), (c), (d), ~~or~~ (n), (s), or (t) ~~[of this section]~~ and assess and collect a tax pledged for payment of debt without deducting the amount of the exemption if:

(1) prior to adoption of the exemption, the taxing unit pledged the taxes for the payment of a debt; and

(2) granting the exemption would impair the obligation of the contract creating the debt.

(s) In addition to any other exemptions provided by this section, an individual is entitled to an exemption from taxation of the total appraised value of the individual's residence homestead if:

(1) the individual is 72 years of age or older; and

(2) the individual has received an exemption under this section for the residence homestead for at least the preceding

1 10 years.

2 (t) The surviving spouse of an individual who qualified for
3 an exemption under Subsection (s) is entitled to an exemption from
4 taxation of the total appraised value of the same property to which
5 the deceased spouse's exemption applied if:

6 (1) the deceased spouse died in a year in which the
7 deceased spouse qualified for the exemption;

8 (2) the surviving spouse was 55 years of age or older
9 when the deceased spouse died; and

10 (3) the property was the residence homestead of the
11 surviving spouse when the deceased spouse died and remains the
12 residence homestead of the surviving spouse.

13 SECTION 2. (a) This section takes effect only if the
14 constitutional amendment proposed by H.J.R. 133, 89th Legislature,
15 Regular Session, 2025, is approved by the voters. If that amendment
16 is not approved by the voters, this section has no effect.

17 (b) Section 11.42(c), Tax Code, as amended by H.B. 2508,
18 Acts of the 89th Legislature, Regular Session, 2025, and effective
19 January 1, 2026, is amended to read as follows:

20 (c) An exemption authorized by Section 11.13(c), ~~or~~ (d),
21 or (s), 11.132, 11.133, 11.134, or 11.136 is effective as of January
22 1 of the tax year in which the person qualifies for the exemption
23 and applies to the entire tax year.

24 SECTION 3. (a) This section takes effect only if the
25 constitutional amendment proposed by H.J.R. 133, 89th Legislature,
26 Regular Session, 2025, is not approved by the voters. If that
27 amendment is approved by the voters, this section has no effect.

(b) Section 11.42(c), Tax Code, is amended to read as follows:

(c) An exemption authorized by Section 11.13(c), ~~or~~ (d), or (s), 11.132, 11.133, or 11.134 is effective as of January 1 of the tax year in which the person qualifies for the exemption and applies to the entire tax year.

SECTION 4. Sections 11.43(k), (l), (m), (m-2), and (q), Tax Code, are amended to read as follows:

(k) A person who qualifies for an exemption authorized by Section 11.13(c), ~~or~~ (d), or (s) or 11.132 must apply for the exemption no later than the first anniversary of the date the person qualified for the exemption.

(l) The form for an application under Section 11.13 must include a space for the applicant to state the applicant's date of birth and, if applicable, the date of birth of the applicant's spouse. Failure to provide the applicant's date of birth does not affect the applicant's eligibility for an exemption under that section, other than an exemption under Section 11.13(c) or (d) for an individual 65 years of age or older or an exemption under Section 11.13(s) for an individual 72 years of age or older. Failure to provide the date of birth of the applicant's spouse does not affect the applicant's eligibility for an exemption under Section 11.13 or the applicant's spouse's eligibility for an exemption under that section, other than an exemption under Section 11.13(q) for the surviving spouse of an individual 65 years of age or older or an exemption under Section 11.13(t) for the surviving spouse of an individual 72 years of age or older.

(m) Notwithstanding Subsections (a) and (k), if a person who receives an exemption under Section 11.13, other than an exemption under Section 11.13(c) or (d) for an individual 65 years of age or older or an exemption under Section 11.13(s) for an individual 72 years of age or older, in a tax year becomes 65 or 72 years of age in the next tax year, as applicable, the person is entitled to receive and the chief appraiser shall allow an exemption under Section 11.13(c) or (d) for an individual 65 years of age or older or an exemption under Section 11.13(s) for an individual 72 years of age or older, as applicable, in that next tax year on the same property without requiring the person to apply for or otherwise request the exemption if the person's age is shown by:

(1) information in the records of the appraisal district that was provided to the appraisal district by the individual in an application for an exemption under Section 11.13 on the property or in correspondence relating to the property; or

(2) the information provided by the Texas Department of Public Safety to the appraisal district under Section 521.049, Transportation Code.

(m-2) Notwithstanding Subsection (a), if a person who receives an exemption under Section 11.13(d) for an individual 65 years of age or older or an exemption under Section 11.13(s) for an individual 72 years of age or older dies in a tax year, that person's surviving spouse is entitled to receive an exemption under Section 11.13(q) or (t), as applicable, in the next tax year on the same property without applying for the exemption if:

(1) the appraisal district learns of the person's

1 death from any source, including the death records maintained by
2 the vital statistics unit of the Department of State Health
3 Services or a local registration official; and

4 (2) the surviving spouse is otherwise eligible to
5 receive the exemption as shown by:

6 (A) information in the records of the appraisal
7 district that was provided to the appraisal district in an
8 application for an exemption under Section 11.13 on the property or
9 in correspondence relating to the property; or

10 (B) information provided by the Texas Department
11 of Public Safety to the appraisal district under Section 521.049,
12 Transportation Code.

13 (q) A chief appraiser may not cancel an exemption under
14 Section 11.13 that is received by an individual who is 65 years of
15 age or older without first providing written notice of the
16 cancellation to the individual receiving the exemption. The notice
17 must include a form on which the individual may indicate whether the
18 individual is qualified to receive the exemption and a
19 self-addressed postage prepaid envelope with instructions for
20 returning the form to the chief appraiser. The chief appraiser
21 shall consider the individual's response on the form in determining
22 whether to continue to allow the exemption. If the chief appraiser
23 does not receive a response on or before the 60th day after the date
24 the notice is mailed, the chief appraiser may cancel the exemption
25 on or after the 30th day after the expiration of the 60-day period,
26 but only after making a reasonable effort to locate the individual
27 and determine whether the individual is qualified to receive the

1 exemption. For purposes of this subsection, sending an additional
 2 notice of cancellation that includes, in bold font equal to or
 3 greater in size than the surrounding text, the date on which the
 4 chief appraiser is authorized to cancel the exemption to the
 5 individual receiving the exemption immediately after the
 6 expiration of the 60-day period by first class mail in an envelope
 7 on which is written, in all capital letters, "RETURN SERVICE
 8 REQUESTED," or another appropriate statement directing the United
 9 States Postal Service to return the notice if it is not deliverable
 10 as addressed, or providing the additional notice in another manner
 11 that the chief appraiser determines is appropriate, constitutes a
 12 reasonable effort on the part of the chief appraiser. This
 13 subsection does not apply to an exemption under Section 11.13(c) or
 14 (d) for an individual 65 years of age or older or an exemption under
 15 Section 11.13(s) for an individual 72 years of age or older that is
 16 canceled because the chief appraiser determines that the individual
 17 receiving the exemption no longer owns the property subject to the
 18 exemption.

19 SECTION 5. (a) This section takes effect only if the
 20 constitutional amendment proposed by H.J.R. 133, 89th Legislature,
 21 Regular Session, 2025, is approved by the voters. If that
 22 amendment is not approved by the voters, this section has no effect.

23 (b) Section 26.10(b), Tax Code, as amended by H.B. 2508,
 24 Acts of the 89th Legislature, Regular Session, 2025, and effective
 25 January 1, 2026, is amended to read as follows:

26 (b) If the appraisal roll shows that a residence homestead
 27 exemption under Section 11.13(c), ~~or~~ (d), or (s), 11.132, 11.133,

1 11.134, or 11.136 applicable to a property on January 1 of a year
2 terminated during the year and if the owner of the property
3 qualifies a different property for one of those residence homestead
4 exemptions during the same year, the tax due against the former
5 residence homestead is calculated by:

6 (1) subtracting:

7 (A) the amount of the taxes that otherwise would
8 be imposed on the former residence homestead for the entire year had
9 the owner qualified for the residence homestead exemption for the
10 entire year; from

11 (B) the amount of the taxes that otherwise would
12 be imposed on the former residence homestead for the entire year had
13 the owner not qualified for the residence homestead exemption
14 during the year;

15 (2) multiplying the remainder determined under
16 Subdivision (1) by a fraction, the denominator of which is 365 and
17 the numerator of which is the number of days that elapsed after the
18 date the exemption terminated; and

19 (3) adding the product determined under Subdivision
20 (2) and the amount described by Subdivision (1)(A).

21 SECTION 6. (a) This section takes effect only if the
22 constitutional amendment proposed by H.J.R. 133, 89th Legislature,
23 Regular Session, 2025, is not approved by the voters. If that
24 amendment is approved by the voters, this section has no effect.

25 (b) Section 26.10(b), Tax Code, is amended to read as
26 follows:

27 (b) If the appraisal roll shows that a residence homestead

1 exemption under Section 11.13(c), ~~[or]~~ (d), or (s), 11.132, 11.133,
2 or 11.134 applicable to a property on January 1 of a year terminated
3 during the year and if the owner of the property qualifies a
4 different property for one of those residence homestead exemptions
5 during the same year, the tax due against the former residence
6 homestead is calculated by:

7 (1) subtracting:

8 (A) the amount of the taxes that otherwise would
9 be imposed on the former residence homestead for the entire year had
10 the owner qualified for the residence homestead exemption for the
11 entire year; from

12 (B) the amount of the taxes that otherwise would
13 be imposed on the former residence homestead for the entire year had
14 the owner not qualified for the residence homestead exemption
15 during the year;

16 (2) multiplying the remainder determined under
17 Subdivision (1) by a fraction, the denominator of which is 365 and
18 the numerator of which is the number of days that elapsed after the
19 date the exemption terminated; and

20 (3) adding the product determined under Subdivision
21 (2) and the amount described by Subdivision (1)(A).

22 SECTION 7. (a) This section takes effect only if the
23 constitutional amendment proposed by H.J.R. 133, 89th Legislature,
24 Regular Session, 2025, is approved by the voters. If that
25 amendment is not approved by the voters, this section has no effect.

26 (b) Section 26.112, Tax Code, as amended by H.B. 2508, Acts
27 of the 89th Legislature, Regular Session, 2025, and effective

1 January 1, 2026, is amended to read as follows:

2 Sec. 26.112. CALCULATION OF TAXES ON RESIDENCE HOMESTEAD OF
3 CERTAIN PERSONS. (a) Except as provided by Section 26.10(b), if
4 at any time during a tax year property is owned by an individual who
5 qualifies for an exemption under Section 11.13(c), ~~or~~ (d), or
6 (s), 11.133, 11.134, or 11.136, the amount of the tax due on the
7 property for the tax year is calculated as if the individual
8 qualified for the exemption on January 1 and continued to qualify
9 for the exemption for the remainder of the tax year.

10 (b) If an individual qualifies for an exemption under
11 Section 11.13(c), ~~or~~ (d), or (s), 11.133, 11.134, or 11.136 with
12 respect to the property after the amount of the tax due on the
13 property is calculated and the effect of the qualification is to
14 reduce the amount of the tax due on the property, the assessor for
15 each taxing unit shall recalculate the amount of the tax due on the
16 property and correct the tax roll. If the tax bill has been mailed
17 and the tax on the property has not been paid, the assessor shall
18 mail a corrected tax bill to the person in whose name the property
19 is listed on the tax roll or to the person's authorized agent. If
20 the tax on the property has been paid, the tax collector for the
21 taxing unit shall refund to the person who was the owner of the
22 property on the date the tax was paid the amount by which the
23 payment exceeded the tax due.

24 SECTION 8. (a) This section takes effect only if the
25 constitutional amendment proposed by H.J.R. 133, 89th Legislature,
26 Regular Session, 2025, is not approved by the voters. If that
27 amendment is approved by the voters, this section has no effect.

(b) Section 26.112, Tax Code, is amended to read as follows:

Sec. 26.112. CALCULATION OF TAXES ON RESIDENCE HOMESTEAD OF CERTAIN PERSONS. (a) Except as provided by Section 26.10(b), if at any time during a tax year property is owned by an individual who qualifies for an exemption under Section 11.13(c), ~~or~~ (d), or (s), 11.133, or 11.134, the amount of the tax due on the property for the tax year is calculated as if the individual qualified for the exemption on January 1 and continued to qualify for the exemption for the remainder of the tax year.

(b) If an individual qualifies for an exemption under Section 11.13(c), ~~or~~ (d), or (s), 11.133, or 11.134 with respect to the property after the amount of the tax due on the property is calculated and the effect of the qualification is to reduce the amount of the tax due on the property, the assessor for each taxing unit shall recalculate the amount of the tax due on the property and correct the tax roll. If the tax bill has been mailed and the tax on the property has not been paid, the assessor shall mail a corrected tax bill to the person in whose name the property is listed on the tax roll or to the person's authorized agent. If the tax on the property has been paid, the tax collector for the taxing unit shall refund to the person who was the owner of the property on the date the tax was paid the amount by which the payment exceeded the tax due.

SECTION 9. Section 33.01(d), Tax Code, is amended to read as follows:

(d) In lieu of the penalty imposed under Subsection (a), a delinquent tax incurs a penalty of 50 percent of the amount of the

1 tax without regard to the number of months the tax has been
2 delinquent if the tax is delinquent because the property owner
3 received an exemption under:

4 (1) Section 11.13 and the chief appraiser subsequently
5 cancels the exemption because the residence was not the principal
6 residence of the property owner and the property owner received an
7 exemption for two or more additional residence homesteads for the
8 tax year in which the tax was imposed;

9 (2) Section 11.13(c) or (d) for a person who is 65
10 years of age or older and the chief appraiser subsequently cancels
11 the exemption because the property owner was younger than 65 years
12 of age; ~~or~~

13 (3) Section 11.13(s) for a person who is 72 years of
14 age or older and the chief appraiser subsequently cancels the
15 exemption because the property owner was younger than 72 years of
16 age; or

17 (4) Section 11.13(q) or (t) and the chief appraiser
18 subsequently cancels the exemption because the property owner was
19 younger than 55 years of age when the property owner's spouse died.

20 SECTION 10. Section 44.004(c), Education Code, as amended
21 by S.B. 1453, Acts of the 89th Legislature, Regular Session, 2025,
22 and effective January 1, 2026, is amended to read as follows:

23 (c) The notice of public meeting to discuss and adopt the
24 budget and the proposed tax rate may not be smaller than one-quarter
25 page of a standard-size or a tabloid-size newspaper, and the
26 headline on the notice must be in 18-point or larger type. Subject
27 to Subsection (d), the notice must:

(1) contain a statement in the following form:

"NOTICE OF PUBLIC MEETING TO DISCUSS BUDGET AND PROPOSED TAX RATE

"The (name of school district) will hold a public meeting at (time, date, year) in (name of room, building, physical location, city, state). The purpose of this meeting is to discuss the school district's budget that will determine the tax rate that will be adopted. Public participation in the discussion is invited." The statement of the purpose of the meeting must be in bold type. In reduced type, the notice must state: "The tax rate that is ultimately adopted at this meeting or at a separate meeting at a later date may not exceed the proposed rate shown below unless the district publishes a revised notice containing the same information and comparisons set out below and holds another public meeting to discuss the revised notice." In addition, in reduced type, the notice must state: "Visit [Texas.gov/PropertyTaxes](https://www.texas.gov/PropertyTaxes) to find a link to your local property tax database on which you can easily access information regarding your property taxes, including information about proposed tax rates and scheduled public hearings of each entity that taxes your property.";

(2) contain a section entitled "Comparison of Proposed Budget with Last Year's Budget," which must show the difference, expressed as a percent increase or decrease, as applicable, in the amounts budgeted for the preceding fiscal year and the amount budgeted for the fiscal year that begins in the current tax year for each of the following:

(A) maintenance and operations;

(B) debt service; and

(C) total expenditures;

(3) contain a section entitled "Total Appraised Value and Total Taxable Value," which must show the total appraised value and the total taxable value of all property and the total appraised value and the total taxable value of new property taxable by the district in the preceding tax year and the current tax year as calculated under Section 26.04, Tax Code;

(4) contain a statement of the total amount of the outstanding and unpaid bonded indebtedness of the school district;

(5) contain a section entitled "Comparison of Proposed Rates with Last Year's Rates," which must:

(A) show in rows the tax rates described by Subparagraphs (i)-(iii), expressed as amounts per \$100 valuation of property, for columns entitled "Maintenance & Operations," "Interest & Sinking Fund," and "Total," which is the sum of "Maintenance & Operations" and "Interest & Sinking Fund":

(i) the school district's "Last Year's Rate";

(ii) the "Rate to Maintain Same Level of Maintenance & Operations Revenue & Pay Debt Service," which:

(a) in the case of "Maintenance & Operations," is the tax rate that, when applied to the current taxable value for the district, as certified by the chief appraiser under Section 26.01, Tax Code, and as adjusted to reflect changes made by the chief appraiser as of the time the notice is prepared, would impose taxes in an amount that, when added to state funds to be distributed to the district under Chapter 48, would provide the

1 same amount of maintenance and operations taxes and state funds
2 distributed under Chapter 48 per student in average daily
3 attendance for the applicable school year that was available to the
4 district in the preceding school year; and

5 (b) in the case of "Interest & Sinking
6 Fund," is the tax rate that, when applied to the current taxable
7 value for the district, as certified by the chief appraiser under
8 Section 26.01, Tax Code, and as adjusted to reflect changes made by
9 the chief appraiser as of the time the notice is prepared, and when
10 multiplied by the district's anticipated collection rate, would
11 impose taxes in an amount that, when added to state funds to be
12 distributed to the district under Chapter 46 and any excess taxes
13 collected to service the district's debt during the preceding tax
14 year but not used for that purpose during that year, would provide
15 the minimum dollar amount required to be paid to service the
16 district's debt; and

17 (iii) the "Proposed Rate";

18 (B) contain fourth and fifth columns aligned with
19 the columns required by Paragraph (A) that show, for each row
20 required by Paragraph (A):

21 (i) the "Local Revenue per Student," which
22 is computed by multiplying the district's total taxable value of
23 property, as certified by the chief appraiser for the applicable
24 school year under Section 26.01, Tax Code, and as adjusted to
25 reflect changes made by the chief appraiser as of the time the
26 notice is prepared, by the total tax rate, and dividing the product
27 by the number of students in average daily attendance in the

1 district for the applicable school year; and

2 (ii) the "State Revenue per Student," which
3 is computed by determining the amount of state aid received or to be
4 received by the district under Chapters 43, 46, and 48 and dividing
5 that amount by the number of students in average daily attendance in
6 the district for the applicable school year; and

7 (C) contain an asterisk after each calculation
8 for "Interest & Sinking Fund" and a footnote to the section that, in
9 reduced type, states "The Interest & Sinking Fund tax revenue is
10 used to pay for bonded indebtedness on construction, equipment, or
11 both. The bonds, and the tax rate necessary to pay those bonds, were
12 approved by the voters of this district.";

13 (6) contain a section entitled "Comparison of Proposed
14 Levy with Last Year's Levy on Average Residence," which must:

15 (A) show in rows the information described by
16 Subparagraphs (i)-(iv), rounded to the nearest dollar, for columns
17 entitled "Last Year" and "This Year":

18 (i) "Average Market Value of Residences,"
19 determined using the same group of residences for each year;

20 (ii) "Average Taxable Value of Residences,"
21 determined after taking into account the limitation on the
22 appraised value of residences under Section 23.23, Tax Code, and
23 after subtracting all homestead exemptions applicable in each year,
24 other than exemptions available only to disabled persons, ~~or~~
25 persons 65 years of age or older or their surviving spouses, or
26 persons 72 years of age or older or their surviving spouses, and
27 using the same group of residences for each year;

(iii) "Last Year's Rate Versus Proposed Rate per \$100 Value"; and

(iv) "Taxes Due on Average Residence," determined using the same group of residences for each year; and

(B) contain the following information: "Increase (Decrease) in Taxes" expressed in dollars and cents, which is computed by subtracting the "Taxes Due on Average Residence" for the preceding tax year from the "Taxes Due on Average Residence" for the current tax year;

(7) contain the following statement in bold print: "Under state law, the dollar amount of school taxes imposed on the residence of a person 65 years of age or older or of the surviving spouse of such a person, if the surviving spouse was 55 years of age or older when the person died, may not be increased above the amount paid in the first year after the person turned 65, regardless of changes in tax rate or property value.";

(8) contain the following statement in bold print: "Notice of Voter-Approval Rate: The highest tax rate the district can adopt before requiring voter approval at an election is (the school district voter-approval rate determined under Section 26.08, Tax Code). This election will be automatically held if the district adopts a rate in excess of the voter-approval rate of (the school district voter-approval rate)."; ~~and~~

(9) contain a section entitled "Fund Balances," which must include the estimated amount of interest and sinking fund balances and the estimated amount of maintenance and operation or general fund balances remaining at the end of the current fiscal

1 year that are not encumbered with or by corresponding debt
2 obligation, less estimated funds necessary for the operation of the
3 district before the receipt of the first payment under Chapter 48 in
4 the succeeding school year; and

5 (10) contain the following statement in bold print:
6 "Under state law, the residence of a person 72 years of age or older
7 or of the surviving spouse of such a person, if the surviving spouse
8 was 55 years of age or older when the person died, is exempt from
9 taxes."

10 SECTION 11. Section 46.071, Education Code, is amended by
11 adding Subsections (a-5) and (b-5) and amending Subsection (c-2) to
12 read as follows:

13 (a-5) Beginning with the 2027-2028 school year, in addition
14 to state aid a school district is entitled to under Subsection
15 (a-2), a school district is also entitled to additional state aid
16 under this subchapter to the extent that state and local revenue
17 used to service debt eligible under this chapter is less than the
18 state and local revenue that would have been available to the
19 district under this chapter as it existed on September 1, 2026, if
20 the residence homestead exemption for a person 72 years of age or
21 older or the person's surviving spouse under Section 1-b(s),
22 Article VIII, Texas Constitution, as proposed by the 89th
23 Legislature, 1st Called Session, 2025, had not been adopted.

24 (b-5) Subject to Subsections (c-2), (d), and (e),
25 additional state aid under this section beginning with the
26 2027-2028 school year is equal to the amount by which the loss of
27 local interest and sinking revenue for debt service attributable to

1 the residence homestead exemption under Section 1-b(s), Article
2 VIII, Texas Constitution, as proposed by the 89th Legislature, 1st
3 Called Session, 2025, is not offset by a gain in state aid under
4 this chapter.

5 (c-2) For the purpose of determining state aid under
6 Subsection [Subsections] (a-2) or (a-5) [and (b-2)], local interest
7 and sinking revenue for debt service is limited to revenue required
8 to service debt eligible under this chapter as of September 1, 2023,
9 or as of September 1, 2026, respectively, or authorized by the
10 voters but not yet issued as of September 1, 2023, or as of
11 September 1, 2026, respectively, that later becomes eligible under
12 this chapter, including refunding of the applicable [that] debt,
13 subject to Section 46.061. The limitation imposed by Section
14 46.034(a) does not apply for the purpose of determining state aid
15 under Subsection (a-2) or (a-5) [this section].

16 SECTION 12. (a) This section takes effect only if the
17 constitutional amendment proposed by S.J.R. 2 or S.J.R. 85, 89th
18 Legislature, Regular Session, 2025, is approved by the voters. If
19 neither amendment is approved by the voters, this section has no
20 effect.

21 (b) Section 46.071, Education Code, is amended by adding
22 Subsection (d-3) to read as follows:

23 (d-3) The amount of additional state aid provided under this
24 section may not be reduced under Subsection (d-1) to an amount below
25 the additional state aid provided under Subsection (a-5).

26 SECTION 13. Section 48.2543, Education Code, is amended by
27 adding Subsections (a-4) and (b-1) to read as follows:

1 (a-4) Beginning with the 2027-2028 school year, in addition
2 to state aid a school district is entitled to under Subsection
3 (a-1), a school district is entitled to additional state aid to the
4 extent that state and local revenue under this chapter and Chapter
5 49 is less than the state and local revenue that would have been
6 available to the district under this chapter and Chapter 49 as those
7 chapters existed on September 1, 2026, if the residence homestead
8 exemption for a person 72 years of age or older or the person's
9 surviving spouse under Section 1-b(s), Article VIII, Texas
10 Constitution, as proposed by the joint resolution to add that
11 subsection adopted by the 89th Legislature, 1st Called Session,
12 2025, had not been adopted.

13 (b-1) The lesser of the school district's currently adopted
14 maintenance and operations tax rate or the adopted maintenance and
15 operations tax rate for the 2026 tax year is used for the purpose of
16 determining additional state aid under Subsection (a-4).

17 SECTION 14. (a) This section takes effect only if the
18 constitutional amendment proposed by H.J.R. 133, 89th Legislature,
19 Regular Session, 2025, is approved by the voters. If that
20 amendment is not approved by the voters, this section has no effect.

21 (b) Section 403.302(d-1), Government Code, as amended by
22 H.B. 2508, Acts of the 89th Legislature, Regular Session, 2025, and
23 effective January 1, 2026, is amended to read as follows:

24 (d-1) For purposes of Subsection (d), a residence homestead
25 that receives an exemption under Section 11.13(s) or (t), 11.131,
26 11.133, 11.134, or 11.136, Tax Code, in the year that is the subject
27 of the study is not considered to be taxable property.

1 SECTION 15. (a) This section takes effect only if the
2 constitutional amendment proposed by H.J.R. 133, 89th Legislature,
3 Regular Session, 2025, is not approved by the voters. If that
4 amendment is approved by the voters, this section has no effect.

5 (b) Section 403.302(d-1), Government Code, is amended to
6 read as follows:

7 (d-1) For purposes of Subsection (d), a residence homestead
8 that receives an exemption under Section 11.13(s) or (t), 11.131,
9 11.133, or 11.134, Tax Code, in the year that is the subject of the
10 study is not considered to be taxable property.

11 SECTION 16. The exemptions from ad valorem taxation of a
12 residence homestead authorized by Sections 11.13(s) and (t), Tax
13 Code, as added by this Act, apply only to taxes imposed beginning
14 with the 2027 tax year.

15 SECTION 17. This Act takes effect January 1, 2027, but only
16 if the constitutional amendment proposed by the 89th Legislature,
17 1st Called Session, 2025, to exempt from ad valorem taxation the
18 total market value of the residence homesteads of certain elderly
19 persons and their surviving spouses is approved by the voters. If
20 that amendment is not approved by the voters, this Act has no
21 effect.