

By: Bell of Montgomery

H.B. No. 301

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 individuals 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) 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 65 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 10 years.

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

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

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

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

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

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

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

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

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

1 follows:

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

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

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

12 (l) The form for an application under Section 11.13 must  
13 include a space for the applicant to state the applicant's date of  
14 birth and, if applicable, the date of birth of the applicant's  
15 spouse. Failure to provide the applicant's date of birth does not  
16 affect the applicant's eligibility for an exemption under that  
17 section, other than an exemption under Section 11.13(c), ~~or~~ (d),  
18 or (s) for an individual 65 years of age or older. Failure to  
19 provide the date of birth of the applicant's spouse does not affect  
20 the applicant's eligibility for an exemption under Section 11.13 or  
21 the applicant's spouse's eligibility for an exemption under that  
22 section, other than an exemption under Section 11.13(q) or (t) for  
23 the surviving spouse of an individual 65 years of age or older.

24 (m) Notwithstanding Subsections (a) and (k), if a person who  
25 receives an exemption under Section 11.13, other than an exemption  
26 under Section 11.13(c), ~~or~~ (d), or (s) for an individual 65 years  
27 of age or older, in a tax year becomes 65 years of age in the next

1 tax year, the person is entitled to receive and the chief appraiser  
2 shall allow an exemption under Section 11.13(c), ~~or~~ (d), or (s)  
3 for an individual 65 years of age or older in that next tax year on  
4 the same property without requiring the person to apply for or  
5 otherwise request the exemption if the person's age is shown by:

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

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

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

19 (1) the appraisal district learns of the person's  
20 death from any source, including the death records maintained by  
21 the vital statistics unit of the Department of State Health  
22 Services or a local registration official; and

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

25 (A) information in the records of the appraisal  
26 district that was provided to the appraisal district in an  
27 application for an exemption under Section 11.13 on the property or

1 in correspondence relating to the property; or

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

5 (q) A chief appraiser may not cancel an exemption under  
6 Section 11.13 that is received by an individual who is 65 years of  
7 age or older without first providing written notice of the  
8 cancellation to the individual receiving the exemption. The notice  
9 must include a form on which the individual may indicate whether the  
10 individual is qualified to receive the exemption and a  
11 self-addressed postage prepaid envelope with instructions for  
12 returning the form to the chief appraiser. The chief appraiser  
13 shall consider the individual's response on the form in determining  
14 whether to continue to allow the exemption. If the chief appraiser  
15 does not receive a response on or before the 60th day after the date  
16 the notice is mailed, the chief appraiser may cancel the exemption  
17 on or after the 30th day after the expiration of the 60-day period,  
18 but only after making a reasonable effort to locate the individual  
19 and determine whether the individual is qualified to receive the  
20 exemption. For purposes of this subsection, sending an additional  
21 notice of cancellation that includes, in bold font equal to or  
22 greater in size than the surrounding text, the date on which the  
23 chief appraiser is authorized to cancel the exemption to the  
24 individual receiving the exemption immediately after the  
25 expiration of the 60-day period by first class mail in an envelope  
26 on which is written, in all capital letters, "RETURN SERVICE  
27 REQUESTED," or another appropriate statement directing the United

1 States Postal Service to return the notice if it is not deliverable  
2 as addressed, or providing the additional notice in another manner  
3 that the chief appraiser determines is appropriate, constitutes a  
4 reasonable effort on the part of the chief appraiser. This  
5 subsection does not apply to an exemption under Section 11.13(c),  
6 ~~or~~ (d), or (s) for an individual 65 years of age or older that is  
7 canceled because the chief appraiser determines that the individual  
8 receiving the exemption no longer owns the property subject to the  
9 exemption.

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

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

17 (b) If the appraisal roll shows that a residence homestead  
18 exemption under Section 11.13(c), ~~or~~ (d), or (s), 11.132, 11.133,  
19 11.134, or 11.136 applicable to a property on January 1 of a year  
20 terminated during the year and if the owner of the property  
21 qualifies a different property for one of those residence homestead  
22 exemptions during the same year, the tax due against the former  
23 residence homestead is calculated by:

24 (1) subtracting:

25 (A) the amount of the taxes that otherwise would  
26 be imposed on the former residence homestead for the entire year had  
27 the owner qualified for the residence homestead exemption for the

1 entire year; from

2 (B) the amount of the taxes that otherwise would  
3 be imposed on the former residence homestead for the entire year had  
4 the owner not qualified for the residence homestead exemption  
5 during the year;

6 (2) multiplying the remainder determined under  
7 Subdivision (1) by a fraction, the denominator of which is 365 and  
8 the numerator of which is the number of days that elapsed after the  
9 date the exemption terminated; and

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

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

16 (b) Section 26.10(b), Tax Code, is amended to read as  
17 follows:

18 (b) If the appraisal roll shows that a residence homestead  
19 exemption under Section 11.13(c), ~~or~~ (d), or (s), 11.132, 11.133,  
20 or 11.134 applicable to a property on January 1 of a year terminated  
21 during the year and if the owner of the property qualifies a  
22 different property for one of those residence homestead exemptions  
23 during the same year, the tax due against the former residence  
24 homestead is calculated by:

25 (1) subtracting:

26 (A) the amount of the taxes that otherwise would  
27 be imposed on the former residence homestead for the entire year had

1 the owner qualified for the residence homestead exemption for the  
2 entire year; from

3 (B) the amount of the taxes that otherwise would  
4 be imposed on the former residence homestead for the entire year had  
5 the owner not qualified for the residence homestead exemption  
6 during the year;

7 (2) multiplying the remainder determined under  
8 Subdivision (1) by a fraction, the denominator of which is 365 and  
9 the numerator of which is the number of days that elapsed after the  
10 date the exemption terminated; and

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

13 SECTION 7. (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  
16 amendment is not approved by the voters, this section has no effect.

17 (b) Section 26.112, Tax Code, as amended by H.B. 2508, Acts  
18 of the 89th Legislature, Regular Session, 2025, and effective  
19 January 1, 2026, is amended to read as follows:

20 Sec. 26.112. CALCULATION OF TAXES ON RESIDENCE HOMESTEAD OF  
21 CERTAIN PERSONS. (a) Except as provided by Section 26.10(b), if  
22 at any time during a tax year property is owned by an individual who  
23 qualifies for an exemption under Section 11.13(c), ~~or~~ (d), or  
24 (s), 11.133, 11.134, or 11.136, the amount of the tax due on the  
25 property for the tax year is calculated as if the individual  
26 qualified for the exemption on January 1 and continued to qualify  
27 for the exemption for the remainder of the tax year.



1           (b) If an individual qualifies for an exemption under  
 2 Section 11.13(c), ~~[or]~~ (d), or (s), 11.133, 11.134, or 11.136 with  
 3 respect to the property after the amount of the tax due on the  
 4 property is calculated and the effect of the qualification is to  
 5 reduce the amount of the tax due on the property, the assessor for  
 6 each taxing unit shall recalculate the amount of the tax due on the  
 7 property and correct the tax roll. If the tax bill has been mailed  
 8 and the tax on the property has not been paid, the assessor shall  
 9 mail a corrected tax bill to the person in whose name the property  
 10 is listed on the tax roll or to the person's authorized agent. If  
 11 the tax on the property has been paid, the tax collector for the  
 12 taxing unit shall refund to the person who was the owner of the  
 13 property on the date the tax was paid the amount by which the  
 14 payment exceeded the tax due.

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

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

20           Sec. 26.112. CALCULATION OF TAXES ON RESIDENCE HOMESTEAD OF  
 21 CERTAIN PERSONS. (a) Except as provided by Section 26.10(b), if  
 22 at any time during a tax year property is owned by an individual who  
 23 qualifies for an exemption under Section 11.13(c), ~~[or]~~ (d), or  
 24 (s), 11.133, or 11.134, the amount of the tax due on the property  
 25 for the tax year is calculated as if the individual qualified for  
 26 the exemption on January 1 and continued to qualify for the  
 27 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 tax without regard to the number of months the tax has been delinquent if the tax is delinquent because the property owner received an exemption under:

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

(2) Section 11.13(c), ~~[or]~~ (d), or (s) for a person who

1 is 65 years of age or older and the chief appraiser subsequently  
2 cancels the exemption because the property owner was younger than  
3 65 years of age; or

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

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

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

15 (1) contain a statement in the following form:

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

17 "The (name of school district) will hold a public meeting at  
18 (time, date, year) in (name of room, building, physical location,  
19 city, state). The purpose of this meeting is to discuss the school  
20 district's budget that will determine the tax rate that will be  
21 adopted. Public participation in the discussion is invited." The  
22 statement of the purpose of the meeting must be in bold type. In  
23 reduced type, the notice must state: "The tax rate that is  
24 ultimately adopted at this meeting or at a separate meeting at a  
25 later date may not exceed the proposed rate shown below unless the  
26 district publishes a revised notice containing the same information  
27 and comparisons set out below and holds another public meeting to

1 discuss the revised notice." In addition, in reduced type, the  
2 notice must state: "Visit [Texas.gov/PropertyTaxes](https://www.texas.gov/PropertyTaxes) to find a link to  
3 your local property tax database on which you can easily access  
4 information regarding your property taxes, including information  
5 about proposed tax rates and scheduled public hearings of each  
6 entity that taxes your property.";

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

13                   (A) maintenance and operations;

14                   (B) debt service; and

15                   (C) total expenditures;

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

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

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

26                   (A) show in rows the tax rates described by  
27 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 same amount of maintenance and operations taxes and state funds distributed under Chapter 48 per student in average daily attendance for the applicable school year that was available to the district in the preceding school year; and

(b) in the case of "Interest & Sinking Fund," 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, and when multiplied by the district's anticipated collection rate, would impose taxes in an amount that, when added to state funds to be distributed to the district under Chapter 46 and any excess taxes collected to service the district's debt during the preceding tax

1 year but not used for that purpose during that year, would provide  
2 the minimum dollar amount required to be paid to service the  
3 district's debt; and

4 (iii) the "Proposed Rate";

5 (B) contain fourth and fifth columns aligned with  
6 the columns required by Paragraph (A) that show, for each row  
7 required by Paragraph (A):

8 (i) the "Local Revenue per Student," which  
9 is computed by multiplying the district's total taxable value of  
10 property, as certified by the chief appraiser for the applicable  
11 school year under Section 26.01, Tax Code, and as adjusted to  
12 reflect changes made by the chief appraiser as of the time the  
13 notice is prepared, by the total tax rate, and dividing the product  
14 by the number of students in average daily attendance in the  
15 district for the applicable school year; and

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

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

27 (6) contain a section entitled "Comparison of Proposed

Levy with Last Year's Levy on Average Residence," which must:

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

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

(ii) "Average Taxable Value of Residences," determined after taking into account the limitation on the appraised value of residences under Section 23.23, Tax Code, and after subtracting all homestead exemptions applicable in each year, other than exemptions available only to disabled persons or persons 65 years of age or older or their surviving spouses, and 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

1 paid in the first year after the person turned 65, regardless of  
2 changes in tax rate or property value.";

3 (8) contain the following statement in bold print:  
4 "Notice of Voter-Approval Rate: The highest tax rate the district  
5 can adopt before requiring voter approval at an election is (the  
6 school district voter-approval rate determined under Section  
7 26.08, Tax Code). This election will be automatically held if the  
8 district adopts a rate in excess of the voter-approval rate of (the  
9 school district voter-approval rate)."; ~~and~~

10 (9) contain a section entitled "Fund Balances," which  
11 must include the estimated amount of interest and sinking fund  
12 balances and the estimated amount of maintenance and operation or  
13 general fund balances remaining at the end of the current fiscal  
14 year that are not encumbered with or by corresponding debt  
15 obligation, less estimated funds necessary for the operation of the  
16 district before the receipt of the first payment under Chapter 48 in  
17 the succeeding school year; and

18 (10) contain the following statement in bold print:  
19 "Under state law, the residence of a person 65 years of age or older  
20 who has received an exemption under Section 11.13, Tax Code, for the  
21 residence for at least the preceding 10 years or of the surviving  
22 spouse of such a person, if the surviving spouse was 55 years of age  
23 or older when the person died, is exempt from taxes."

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

27 (a-5) Beginning with the 2027-2028 school year, in addition



to state aid a school district is entitled to under Subsection (a-2), a school district is also entitled to additional state aid under this subchapter to the extent that state and local revenue used to service debt eligible under this chapter is less than the state and local revenue that would have been available to the district under this chapter as it existed on September 1, 2026, if the residence homestead exemption for a person 65 years of age or older or the person's surviving spouse under Section 1-b(s), Article VIII, Texas Constitution, as proposed by the 89th Legislature, 1st Called Session, 2025, had not been adopted.

(b-5) Subject to Subsections (c-2), (d), and (e), additional state aid under this section beginning with the 2027-2028 school year is equal to the amount by which the loss of local interest and sinking revenue for debt service attributable to the residence homestead exemption under Section 1-b(s), Article VIII, Texas Constitution, as proposed by the 89th Legislature, 1st Called Session, 2025, is not offset by a gain in state aid under this chapter.

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

1 46.034(a) does not apply for the purpose of determining state aid  
2 under Subsection (a-2) or (a-5) [~~this section~~].

3 SECTION 12. (a) This section takes effect only if the  
4 constitutional amendment proposed by S.J.R. 2 or S.J.R. 85, 89th  
5 Legislature, Regular Session, 2025, is approved by the voters. If  
6 neither amendment is approved by the voters, this section has no  
7 effect.

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

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

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

15 (a-4) Beginning with the 2027-2028 school year, in addition  
16 to state aid a school district is entitled to under Subsection  
17 (a-1), a school district is entitled to additional state aid to the  
18 extent that state and local revenue under this chapter and Chapter  
19 49 is less than the state and local revenue that would have been  
20 available to the district under this chapter and Chapter 49 as those  
21 chapters existed on September 1, 2026, if the residence homestead  
22 exemption for a person 65 years of age or older or the person's  
23 surviving spouse under Section 1-b(s), Article VIII, Texas  
24 Constitution, as proposed by the joint resolution to add that  
25 subsection adopted by the 89th Legislature, 1st Called Session,  
26 2025, had not been adopted.

27 (b-1) The lesser of the school district's currently adopted

1 maintenance and operations tax rate or the adopted maintenance and  
2 operations tax rate for the 2026 tax year is used for the purpose of  
3 determining additional state aid under Subsection (a-4).

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

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

11       (d-1) For purposes of Subsection (d), a residence homestead  
12 that receives an exemption under Section 11.13(s) or (t), 11.131,  
13 11.133, 11.134, or 11.136, Tax Code, in the year that is the subject  
14 of the study is not considered to be taxable property.

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

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

21       (d-1) For purposes of Subsection (d), a residence homestead  
22 that receives an exemption under Section 11.13(s) or (t), 11.131,  
23 11.133, or 11.134, Tax Code, in the year that is the subject of the  
24 study is not considered to be taxable property.

25       SECTION 16. The exemptions from ad valorem taxation of a  
26 residence homestead authorized by Sections 11.13(s) and (t), Tax  
27 Code, as added by this Act, apply only to taxes imposed beginning

1 with the 2027 tax year.

2       SECTION 17. This Act takes effect January 1, 2027, but only  
3 if the constitutional amendment proposed by the 89th Legislature,  
4 1st Called Session, 2025, to exempt from ad valorem taxation the  
5 total market value of the residence homesteads of certain elderly  
6 persons and their surviving spouses is approved by the voters. If  
7 that amendment is not approved by the voters, this Act has no  
8 effect.