

BILL ANALYSIS

S.B. 402
By: Paxton
Ways & Means
Committee Report (Unamended)

BACKGROUND AND PURPOSE

During the 86th Regular Session the Texas Legislature passed S.B. 1856, which provided for the delivery of a property tax refund. However, the bill sponsor has informed the committee that the statute does not include language for a standardized form despite other law prescribing the method for a property tax refund to be sent to a property owner in the event a judicial review shows the taxing entity was in error on overcharging a property owner. The bill sponsor has also informed the committee that while the statute relating to the delivery of a property tax refund has a similar provision, it lacks the clarity needed to give the comptroller of public accounts the authority to prescribe the correct form. S.B. 402 seeks to resolve this issue by providing the comptroller guidance to create a form for a property tax refund.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

S.B. 402 amends the Tax Code to require the comptroller of public accounts to prescribe a form that a person to whom a refund of property tax is owed may use to make a written request, as authorized under current law, to a collector or taxing unit that the refund be sent to a particular address that is not the person's mailing address as listed on the appraisal roll and to require the comptroller to include on the form a notice of the penalties for making or filing an application containing a false statement under Penal Code provisions relating to tampering with a governmental record. The bill conditions the duty of a collector or taxing unit to comply with such a request on the person filing the request using the form prescribed by the comptroller before the date the refund is issued. A person who files a refund delivery request with a collector or taxing unit in that manner may revoke the request by filing a written revocation with the collector or taxing unit.

S.B. 402 applies only to a request filed on or after the bill's effective date. A request filed before the bill's effective date is governed by the law in effect on the date the request is filed, and the former law is continued in effect for that purpose.

EFFECTIVE DATE

September 1, 2025.