

By: Metcalf

H.B. No. 3064

A BILL TO BE ENTITLED

AN ACT

relating to the exemption of tangible personal property from ad valorem taxation; making conforming changes.

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

SECTION 1. Section 6.24(b), Tax Code, is amended to read as follows:

(b) The commissioners court with the approval of the county assessor-collector may contract as provided by the Interlocal Cooperation Act with the governing body of another taxing unit in the county or with the board of directors of the appraisal district for the other taxing unit or the district to perform duties relating to the assessment or collection of taxes for the county. If a county contracts to have its taxes assessed and collected by another taxing unit or by the appraisal district, [~~except as provided by Subsection (c),~~] the contract shall require the other taxing unit or the district to assess and collect all taxes the county is required to assess and collect.

SECTION 2. The heading to Section 11.01, Tax Code, is amended to read as follows:

Sec. 11.01. REAL [~~AND TANGIBLE PERSONAL~~] PROPERTY.

SECTION 3. Section 11.01(a), Tax Code, is amended to read as follows:

(a) All real [~~and tangible personal~~] property that this state has jurisdiction to tax is taxable unless exempt by law.

1 SECTION 4. Subchapter A, Chapter 11, Tax Code, is amended by
2 adding Section 11.015 to read as follows:

3 Sec. 11.015. TANGIBLE PERSONAL PROPERTY. (a) Tangible
4 personal property is not taxable for a tax year that begins on or
5 after January 1, 2026.

6 (b) On and after January 1, 2026, a provision of this code or
7 another law that would otherwise apply to the taxation of tangible
8 personal property for a tax year that begins on or after that date
9 has no effect for that tax year.

10 SECTION 5. Section 11.18(a), Tax Code, is amended to read as
11 follows:

12 (a) An organization that qualifies as a charitable
13 organization as provided by this section is entitled to an
14 exemption from taxation of:

15 (1) the buildings [~~and tangible personal property~~]
16 that:

17 (A) are owned by the charitable organization; and

18 (B) except as permitted by Subsection (b), are
19 used exclusively by qualified charitable organizations;

20 (2) the real property owned by the charitable
21 organization consisting of:

22 (A) an incomplete improvement that:

23 (i) is under active construction or other
24 physical preparation; and

25 (ii) is designed and intended to be used
26 exclusively by qualified charitable organizations; and

27 (B) the land on which the incomplete improvement

1 is located that will be reasonably necessary for the use of the
2 improvement by qualified charitable organizations; and

3 (3) if the charitable organization is described by
4 Subsection (d)(1), (2), (3)(A)(ii), (5), (8), (13), (15), or (19),
5 the real property owned by the charitable organization consisting
6 of an interest in a mineral in place, including a royalty interest,
7 provided that the interest:

8 (A) is not severed from the surface estate; or

9 (B) was donated to the charitable organization by
10 the previous owner of the interest.

11 SECTION 6. Section [11.181\(c\)](#), Tax Code, is amended to read
12 as follows:

13 (c) An organization entitled to an exemption under
14 Subsection (a) is also entitled to an exemption from taxation of any
15 building [~~or tangible personal property~~] the organization owns and
16 uses in the administration of its acquisition, building, repair, or
17 sale of property. To qualify for an exemption under this
18 subsection, property must be used exclusively by the charitable
19 organization, except that another individual or organization may
20 use the property for activities incidental to the charitable
21 organization's use that benefit the beneficiaries of the charitable
22 organization.

23 SECTION 7. Section [11.182\(f\)](#), Tax Code, is amended to read
24 as follows:

25 (f) An organization entitled to an exemption under
26 Subsection (b) is also entitled to an exemption from taxation of any
27 building [~~or tangible personal property~~] the organization owns and

1 uses in the administration of its acquisition, building, repair,
2 sale, or rental of property. To qualify for an exemption under this
3 subsection, property must be used exclusively by the organization,
4 except that another person may use the property for activities
5 incidental to the organization's use that benefit the beneficiaries
6 of the organization.

7 SECTION 8. Section 11.1827(d), Tax Code, is amended to read
8 as follows:

9 (d) A community land trust entitled to an exemption from
10 taxation by a taxing unit under Subsection (b) is also entitled to
11 an exemption from taxation by the taxing unit of any real [~~ex~~
12 ~~tangible personal~~] property the trust owns and uses in the
13 administration of its acquisition, construction, repair, sale, or
14 leasing of property. To qualify for an exemption under this
15 subsection, property must be used exclusively by the trust, except
16 that another person may use the property for activities incidental
17 to the trust's use that benefit the beneficiaries of the trust.

18 SECTION 9. Section 11.184(c), Tax Code, is amended to read
19 as follows:

20 (c) A qualified charitable organization is entitled to an
21 exemption from taxation of:

22 (1) the buildings and other real property [~~and the~~
23 ~~tangible personal property~~] that:

24 (A) are owned by the organization; and

25 (B) except as permitted by Subsection (d), are
26 used exclusively by the organization and other organizations
27 eligible for an exemption from taxation under this section or

1 Section 11.18; and

2 (2) the real property owned by the organization
3 consisting of:

4 (A) an incomplete improvement that:

5 (i) is under active construction or other
6 physical preparation; and

7 (ii) is designed and intended to be used
8 exclusively by the organization and other organizations eligible
9 for an exemption from taxation under this section or Section 11.18;
10 and

11 (B) the land on which the incomplete improvement
12 is located that will be reasonably necessary for the use of the
13 improvement by the organization and other organizations eligible
14 for an exemption from taxation under this section or Section 11.18.

15 SECTION 10. Section 11.185(c), Tax Code, is amended to read
16 as follows:

17 (c) An organization entitled to an exemption under
18 Subsection (a) is also entitled to an exemption from taxation of any
19 building [~~or tangible personal property~~] the organization owns and
20 uses in the administration of its acquisition, building, repair, or
21 sale of property. To qualify for an exemption under this
22 subsection, property must be used exclusively by the charitable
23 organization, except that another individual or organization may
24 use the property for activities incidental to the charitable
25 organization's use that benefit the beneficiaries of the charitable
26 organization.

27 SECTION 11. Sections 11.20(a), (d), (f), (g), (h), (j), and

1 (k), Tax Code, are amended to read as follows:

2 (a) An organization that qualifies as a religious
3 organization as provided by Subsection (c) is entitled to an
4 exemption from taxation of:

5 (1) the real property that is owned by the religious
6 organization, is used primarily as a place of regular religious
7 worship, and is reasonably necessary for engaging in religious
8 worship;

9 (2) ~~[the tangible personal property that is owned by~~
10 ~~the religious organization and is reasonably necessary for engaging~~
11 ~~in worship at the place of worship specified in Subdivision (1)];~~

12 ~~[(3)]~~ the real property that is owned by the religious
13 organization and is reasonably necessary for use as a residence
14 (but not more than one acre of land for each residence) if the
15 property:

16 (A) is used exclusively as a residence for those
17 individuals whose principal occupation is to serve in the clergy of
18 the religious organization; and

19 (B) produces no revenue for the religious
20 organization;

21 (3) ~~[(4) the tangible personal property that is owned~~
22 ~~by the religious organization and is reasonably necessary for use~~
23 ~~of the residence specified by Subdivision (3)];~~

24 ~~[(5)]~~ the real property owned by the religious
25 organization consisting of:

26 (A) an incomplete improvement that is under
27 active construction or other physical preparation and that is

1 designed and intended to be used by the religious organization as a
2 place of regular religious worship when complete; and

3 (B) the land on which the incomplete improvement
4 is located that will be reasonably necessary for the religious
5 organization's use of the improvement as a place of regular
6 religious worship;

7 (4) [~~(6)~~] the land that the religious organization
8 owns for the purpose of expansion of the religious organization's
9 place of regular religious worship or construction of a new place of
10 regular religious worship if:

11 (A) the religious organization qualifies other
12 property, including a portion of the same tract or parcel of land,
13 owned by the organization for an exemption under Subdivision (1) or
14 (3) [~~(5)~~]; and

15 (B) the land produces no revenue for the
16 religious organization; and

17 (5) [~~(7)~~] the real property owned by the religious
18 organization that is leased to another person and used by that
19 person for the operation of a school that qualifies as a school
20 under Section 11.21(d).

21 (d) Use of property that qualifies for the exemption
22 prescribed by Subsection (a)(1) or [~~(2) or by Subsection~~] (h)(1)
23 for occasional secular purposes other than religious worship does
24 not result in loss of the exemption if the primary use of the
25 property is for religious worship and all income from the other use
26 is devoted exclusively to the maintenance and development of the
27 property as a place of religious worship.

1 (f) A property may not be exempted under Subsection (a)(3)
2 [~~(a)(5)~~] for more than three years.

3 (g) For purposes of Subsection (a)(3) [~~(a)(5)~~], an
4 incomplete improvement is under physical preparation if the
5 religious organization has engaged in architectural or engineering
6 work, soil testing, land clearing activities, or site improvement
7 work necessary for the construction of the improvement or has
8 conducted an environmental or land use study relating to the
9 construction of the improvement.

10 (h) Property owned by this state or a political subdivision
11 of this state, including a leasehold or other possessory interest
12 in the property, that is held or occupied by an organization that
13 qualifies as a religious organization as provided by Subsection (c)
14 is entitled to an exemption from taxation if the property:

15 (1) is used by the organization primarily as a place of
16 regular religious worship and is reasonably necessary for engaging
17 in religious worship; or

18 (2) meets the qualifications for an exemption under
19 Subsection (a)(3) [~~(a)(5)~~].

20 (j) A tract of land that is contiguous to the tract of land
21 on which the religious organization's place of regular religious
22 worship is located may not be exempted under Subsection (a)(4)
23 [~~(a)(6)~~] for more than 10 years. A tract of land that is not
24 contiguous to the tract of land on which the religious
25 organization's place of regular religious worship is located may
26 not be exempted under Subsection (a)(4) [~~(a)(6)~~] for more than
27 three years. For purposes of this subsection, a tract of land is

1 considered to be contiguous with another tract of land if the tracts
2 are divided only by a road, railroad track, river, or stream.

3 (k) For purposes of Subsection (a)(4) [~~(a)(6)~~], an
4 application or statement accompanying an application for the
5 exemption stating that the land is owned for the purposes described
6 by Subsection (a)(4) [~~(a)(6)~~] and signed by an authorized officer
7 of the organization is sufficient to establish that the land is
8 owned for those purposes.

9 SECTION 12. Sections 11.201(a) and (c), Tax Code, are
10 amended to read as follows:

11 (a) If land is sold or otherwise transferred to another
12 person in a year in which the land receives an exemption under
13 Section 11.20(a)(4) [~~11.20(a)(6)~~], an additional tax is imposed on
14 the land equal to the tax that would have been imposed on the land
15 had the land been taxed for each of the five years preceding the
16 year in which the sale or transfer occurs in which the land received
17 an exemption under that subsection, plus interest at an annual rate
18 of seven percent calculated from the dates on which the taxes would
19 have become due.

20 (c) If only part of a parcel of land that is exempted under
21 Section 11.20(a)(4) [~~11.20(a)(6)~~] is sold or transferred, the tax
22 applies only to that part of the parcel and equals the taxes that
23 would have been imposed had that part been taxed.

24 SECTION 13. Sections 11.21(a), (b), and (f), Tax Code, are
25 amended to read as follows:

26 (a) A person is entitled to an exemption from taxation of:
27 (1) the buildings [~~and tangible personal property~~]

1 that the person owns and that are used for a school that is
2 qualified as provided by Subsection (d) if:

3 (A) the school is operated exclusively by the
4 person owning the property;

5 (B) except as permitted by Subsection (b), the
6 buildings [~~and tangible personal property~~] are used exclusively for
7 educational functions; and

8 (C) the buildings [~~and tangible personal~~
9 ~~property~~] are reasonably necessary for the operation of the school;
10 and

11 (2) the real property owned by the person consisting
12 of:

13 (A) an incomplete improvement that:

14 (i) is under active construction or other
15 physical preparation; and

16 (ii) is designed and intended to be used for
17 a school that is qualified as provided by Subsection (d); and

18 (B) the land on which the incomplete improvement
19 is located that will be reasonably necessary for the use of the
20 improvement for a school that is qualified as provided by
21 Subsection (d).

22 (b) Use of exempt [~~tangible~~] property for functions other
23 than educational functions does not result in loss of an exemption
24 authorized by this section if those other functions are incidental
25 to use of the property for educational functions and benefit the
26 students or faculty of the school.

27 (f) Notwithstanding Subsection (a), a person is entitled to

1 an exemption from taxation of the buildings [~~and tangible personal~~
2 ~~property~~] the person acquires for use for a school that meets each
3 requirement of Subsection (d) if:

4 (1) the person authorizes the former owner to continue
5 to use the property pending the use of the property for a school;
6 and

7 (2) the former owner would be entitled to an exemption
8 from taxation of the property if the former owner continued to own
9 the property.

10 SECTION 14. Section 11.23(m), Tax Code, is amended to read
11 as follows:

12 (m) National Hispanic Institute. The National Hispanic
13 Institute is entitled to an exemption from taxation of the real [~~and~~
14 ~~tangible personal~~] property it owns as long as the organization is
15 exempt from federal income taxation under Section 501(a), Internal
16 Revenue Code of 1986, as an organization described by Section
17 501(c)(3) of that code.

18 SECTION 15. Section 11.231(b), Tax Code, is amended to read
19 as follows:

20 (b) An association that qualifies as a nonprofit community
21 business organization as provided by this section is entitled to an
22 exemption from taxation of:

23 (1) the buildings [~~and tangible personal property~~]
24 that:

25 (A) are owned by the nonprofit community business
26 organization; and

27 (B) except as permitted by Subsection (c), are

1 used exclusively by qualified nonprofit community business
2 organizations to perform their primary functions; and

3 (2) the real property owned by the nonprofit community
4 business organization consisting of:

5 (A) an incomplete improvement that:

6 (i) is under active construction or other
7 physical preparation; and

8 (ii) is designed and intended to be used
9 exclusively by qualified nonprofit community business
10 organizations; and

11 (B) the land on which the incomplete improvement
12 is located that will be reasonably necessary for the use of the
13 improvement by qualified nonprofit community business
14 organizations.

15 SECTION 16. Section 11.35(a)(2), Tax Code, is amended to
16 read as follows:

17 (2) "Qualified property" means property that:

18 (A) consists of:

19 (i) ~~[tangible personal property used for~~
20 ~~the production of income,~~

21 ~~[(ii)]~~ an improvement to real property; or

22 (ii) ~~[(iii)]~~ a manufactured home as that
23 term is defined by Section 1201.003, Occupations Code, that is used
24 as a dwelling, regardless of whether the owner of the manufactured
25 home elects to treat the manufactured home as real property under
26 Section 1201.2055, Occupations Code;

27 (B) is located in an area declared by the

1 governor to be a disaster area following a disaster; and

2 (C) is at least 15 percent damaged by the
3 disaster, as determined by the chief appraiser under this section[+
4 ~~and~~

5 [~~(D) for property described by Paragraph (A)(i),~~
6 ~~is the subject of a rendition statement or property report filed by~~
7 ~~the property owner under Section 22.01 that demonstrates that the~~
8 ~~property had taxable situs in the disaster area for the tax year in~~
9 ~~which the disaster occurred].~~

10 SECTION 17. Section 11.35(g), Tax Code, is amended to read
11 as follows:

12 (g) The chief appraiser shall assign to an item of qualified
13 property:

14 (1) a Level I damage assessment rating if the property
15 is at least 15 percent, but less than 30 percent, damaged, meaning
16 that the property suffered minimal damage and may continue to be
17 used as intended;

18 (2) a Level II damage assessment rating if the
19 property is at least 30 percent, but less than 60 percent, damaged,
20 meaning [~~which, for qualified property described by Subsection~~
21 ~~(a)(2)(A)(ii) or (iii), means] that the property has suffered only
22 nonstructural damage, including nonstructural damage to the roof,
23 walls, foundation, or mechanical components, and the waterline, if
24 any, is less than 18 inches above the floor;~~

25 (3) a Level III damage assessment rating if the
26 property is at least 60 percent damaged but is not a total loss,
27 meaning [~~which, for qualified property described by Subsection~~

1 ~~(a)(2)(A)(ii) or (iii), means]~~ that the property has suffered
2 significant structural damage requiring extensive repair due to the
3 failure or partial failure of structural elements, wall elements,
4 or the foundation, or the waterline is at least 18 inches above the
5 floor; or

6 (4) a Level IV damage assessment rating if the
7 property is a total loss, meaning that repair of the property is not
8 feasible.

9 SECTION 18. Sections 11.42(b) and (d), Tax Code, are
10 amended to read as follows:

11 (b) An exemption authorized by Section 11.11 ~~[or 11.141]~~ is
12 effective immediately on qualification for the exemption.

13 (d) A person who acquires property after January 1 of a tax
14 year may receive an exemption authorized by Section 11.17, 11.18,
15 11.19, 11.20, 11.21, 11.23, 11.231, or 11.30 ~~[, or 11.36]~~ for the
16 applicable portion of that tax year immediately on qualification
17 for the exemption.

18 SECTION 19. Sections 11.43(a), (b), (c), and (e), Tax Code,
19 are amended to read as follows:

20 (a) To receive an exemption, a person claiming the
21 exemption, other than an exemption authorized by Section 11.11,
22 11.12, or ~~[11.14, 11.141, 11.145]~~ 11.146 ~~[, 11.15, 11.16, 11.161,~~
23 ~~or 11.25]~~, must apply for the exemption. To apply for an exemption,
24 a person must file an exemption application form with the chief
25 appraiser for each appraisal district in which the property subject
26 to the claimed exemption has situs.

27 (b) Except as provided by Subsection (c) and by Section

1 ~~[Sections]~~ 11.184 ~~[and 11.437]~~, a person required to apply for an
2 exemption must apply each year the person claims entitlement to the
3 exemption.

4 (c) An exemption provided by Section 11.13, 11.131, 11.132,
5 11.133, 11.134, 11.17, 11.18, 11.182, 11.1827, 11.183, 11.19,
6 11.20, 11.21, 11.22, 11.23(a), (h), (j), (j-1), or (m), 11.231,
7 ~~[11.254,]~~ 11.27, ~~[11.271,]~~ 11.29, 11.30, 11.31, ~~[11.315,]~~ 11.35, or
8 11.36, once allowed, need not be claimed in subsequent years, and
9 except as otherwise provided by Subsection (e), the exemption
10 applies to the property until it changes ownership or the person's
11 qualification for the exemption changes. However, except as
12 provided by Subsection (r), the chief appraiser may require a
13 person allowed one of the exemptions in a prior year to file a new
14 application to confirm the person's current qualification for the
15 exemption by delivering a written notice that a new application is
16 required, accompanied by an appropriate application form, to the
17 person previously allowed the exemption. If the person previously
18 allowed the exemption is 65 years of age or older, the chief
19 appraiser may not cancel the exemption due to the person's failure
20 to file the new application unless the chief appraiser complies
21 with the requirements of Subsection (q), if applicable.

22 (e) Except as provided by Section 11.422, 11.431, 11.433,
23 11.434, 11.435, or 11.439, ~~[or 11.4391,]~~ if a person required to
24 apply for an exemption in a given year fails to file timely a
25 completed application form, the person may not receive the
26 exemption for that year.

27 SECTION 20. Section 21.06(a), Tax Code, is amended to read

1 as follows:

2 (a) Except as provided by Section 21.08 [~~Sections 21.07~~
3 ~~through 21.09 of this code~~], intangible property is taxable by a
4 taxing unit if the owner of the property resides in the taxing unit
5 on January 1, unless the property normally is used in this state for
6 business purposes outside the taxing unit. In that event, the
7 intangible property is taxable by each taxing unit in which the
8 property normally is used for business purposes.

9 SECTION 21. Sections 22.01(a), (b), (c), (c-2), (f), and
10 (g), Tax Code, are amended to read as follows:

11 (a) [~~Except as provided by Chapter 24, a person shall render~~
12 ~~for taxation all tangible personal property used for the production~~
13 ~~of income that the person owns or that the person manages and~~
14 ~~controls as a fiduciary on January 1.~~] A rendition statement shall
15 contain:

- 16 (1) the name and address of the property owner;
- 17 (2) a description of the property by type or category;
- 18 (3) [~~if the property is inventory, a description of~~
19 ~~each type of inventory and a general estimate of the quantity of~~
20 ~~each type of inventory,~~

21 [~~4~~] the physical location or taxable situs of the
22 property; and

23 (4) [~~5~~] the property owner's good faith estimate of
24 the market value of the property or, at the option of the property
25 owner, the historical cost when new and the year of acquisition of
26 the property.

27 (b) When required by the chief appraiser, a person shall

1 render for taxation any ~~[other]~~ taxable property that the person
2 ~~[he]~~ owns or that the person ~~[he]~~ manages and controls as a
3 fiduciary on January 1.

4 (c) A person may render for taxation any property that the
5 person ~~[he]~~ owns or that the person ~~[he]~~ manages and controls as a
6 fiduciary on January 1, although the person ~~[he]~~ is not required to
7 render it by Subsection ~~[(a) or]~~ (b) ~~[of this section]~~.

8 (c-2) With the consent of the property owner, a secured
9 party may render for taxation any property of the property owner in
10 which the secured party has a security interest on January 1,
11 although the secured party is not required to render the property by
12 Subsection ~~[(a) or]~~ (b). This subsection applies only to property
13 that has a historical cost when new of more than \$50,000.

14 (f) Notwithstanding Subsection ~~[Subsections]~~ (a) ~~[and (b)]~~,
15 a rendition statement of a person who owns ~~[tangible personal]~~
16 property ~~[used for the production of income]~~ located in the
17 appraisal district that, in the owner's opinion, has an aggregate
18 value of less than \$20,000 is required to contain only:

- 19 (1) the name and address of the property owner;
- 20 (2) a general description of the property by type or
21 category; and
- 22 (3) the physical location or taxable situs of the
23 property.

24 (g) A person's good faith estimate of the market value of
25 the property under Subsection (a)(4) ~~[(a)(5)]~~ is solely for the
26 purpose of compliance with any ~~[the]~~ requirement to render
27 ~~[tangible personal]~~ property and is inadmissible in any subsequent

1 protest, hearing, appeal, suit, or other proceeding under this
2 title involving the property, except for:

3 (1) a proceeding to determine whether the person
4 complied with this section;

5 (2) a proceeding under Section 22.29(b); or

6 (3) a protest under Section 41.41.

7 SECTION 22. Section 22.02, Tax Code, is amended to read as
8 follows:

9 Sec. 22.02. RENDITION OF PROPERTY LOSING EXEMPTION DURING
10 TAX YEAR [~~OR FOR WHICH EXEMPTION APPLICATION IS DENIED~~]. [~~(a)~~] If
11 an exemption applicable to a property on January 1 terminates
12 during the tax year, the person who owns or acquires the property on
13 the date applicability of the exemption terminates shall render the
14 property for taxation within 30 days after the date of termination.

15 [~~(b) If the chief appraiser denies an application for an~~
16 ~~exemption for property described by Section 22.01(a), the person~~
17 ~~who owns the property on the date the application is denied shall~~
18 ~~render the property for taxation in the manner provided by Section~~
19 ~~22.01 within 30 days after the date of denial.~~]

20 SECTION 23. Section 22.05, Tax Code, is amended to read as
21 follows:

22 Sec. 22.05. RENDITION BY RAILROAD. (a) A [~~In addition to~~
23 ~~other reports required by Chapter 24 of this code, a~~] railroad
24 corporation shall render the real property the railroad corporation
25 owns or possesses as of January 1.

26 (b) The rendition shall:

27 (1) list all real property other than the property

1 covered by Subdivision (2) [~~of this subsection~~]; and

2 (2) list the number of miles of railroad together with
3 the market value per mile, which value shall include right-of-way,
4 roadbed, superstructure, and all buildings and improvements used in
5 the operation of the railroad[~~, and~~

6 [~~(3) list all personal property as required by Section~~
7 ~~22.01 of this code~~].

8 SECTION 24. The heading to Section 22.07, Tax Code, is
9 amended to read as follows:

10 Sec. 22.07. STATEMENT INDICATING HOW VALUE RENDERED
11 [~~INSPECTION OF PROPERTY~~].

12 SECTION 25. Section 22.07, Tax Code, is amended by amending
13 Subsection (c) and adding Subsection (c-1) to read as follows:

14 (c) The chief appraiser may request, either in writing or by
15 electronic means, that the property owner provide a statement
16 containing supporting information indicating how the value
17 rendered under Section 22.01(a)(4) [~~22.01(a)(5)~~] was determined.
18 The statement must:

19 (1) summarize information sufficient to identify the
20 property, including:

21 (A) the physical and economic characteristics
22 relevant to the opinion of value, if appropriate; and

23 (B) the source of the information used;

24 (2) state the effective date of the opinion of value;
25 and

26 (3) explain the basis of the value rendered.

27 (c-1) If the property owner is a business with 50 employees

1 or less, the property owner may base the estimate of value on the
2 depreciation schedules used for federal income tax purposes.

3 SECTION 26. Section 22.24(e), Tax Code, is amended to read
4 as follows:

5 (e) To be valid, a rendition or report must be sworn to
6 before an officer authorized by law to administer an oath. The
7 comptroller may not prescribe or approve a rendition or report form
8 unless the form provides for the person filing the form to swear
9 that the information provided in the rendition or report is true and
10 accurate to the best of the person's knowledge and belief. This
11 subsection does not apply to a rendition or report filed:

- 12 (1) by a secured party, as defined by Section 22.01;
13 (2) by the property owner;
14 (3) by an employee of the property owner; or
15 (4) by an employee of a property owner on behalf of an
16 affiliated entity of the property owner [~~, or~~

17 [~~(5) on behalf of a property owner who is rendering~~
18 ~~tangible personal property used for the production of income and~~
19 ~~whose good faith estimate of the market value of that property is~~
20 ~~not more than \$150,000].~~

21 SECTION 27. Section 23.014, Tax Code, is amended to read as
22 follows:

23 Sec. 23.014. EXCLUSION OF PROPERTY AS REAL PROPERTY. In
24 [~~Except as provided by Section 23.24(b), in~~] determining the market
25 value of real property, the chief appraiser shall analyze the
26 effect on that value of, and exclude from that value the value of,
27 any:

- 1 (1) tangible personal property, including trade
2 fixtures;
- 3 (2) intangible personal property;
- 4 (3) chicken coops or rabbit pens used for the
5 noncommercial production of food for personal consumption; or
- 6 (4) other property that is not subject to appraisal as
7 real property.

8 SECTION 28. Sections 23.12(a) and (f), Tax Code, are
9 amended to read as follows:

10 (a) The [~~Except as provided by Sections 23.121, 23.1241,~~
11 ~~23.124, and 23.127, the~~] market value of a real property [~~an~~
12 inventory is the price for which it would sell as a unit to a
13 purchaser who would continue the business. A real property [~~An~~
14 inventory includes [~~shall include~~] residential real property which
15 has never been occupied as a residence and is held for sale in the
16 ordinary course of a trade or business, provided that the
17 residential real property remains unoccupied, is not leased or
18 rented, and produces no income.

19 (f) The owner of an inventory [~~other than a dealer's motor~~
20 ~~vehicle inventory as that term is defined by Section 23.121, a~~
21 ~~dealer's heavy equipment inventory as that term is defined by~~
22 ~~Section 23.1241, or a dealer's vessel and outboard motor inventory~~
23 ~~as that term is defined by Section 23.124, or a retail manufactured~~
24 ~~housing inventory as that term is defined by Section 23.127]~~ may
25 elect to have the inventory appraised at its market value as of
26 September 1 of the year preceding the tax year to which the
27 appraisal applies by filing an application with the chief appraiser

1 requesting that the inventory be appraised as of September 1. The
2 application must clearly describe the inventory to which it applies
3 and be signed by the owner of the inventory. The application
4 applies to the appraisal of the inventory in each tax year that
5 begins after the next August 1 following the date the application is
6 filed with the chief appraiser unless the owner of the inventory by
7 written notice filed with the chief appraiser revokes the
8 application or the ownership of the inventory changes. A notice
9 revoking the application is effective for each tax year that begins
10 after the next September following the date the notice of
11 revocation is filed with the chief appraiser.

12 SECTION 29. Sections 25.25(e) and (m), Tax Code, are
13 amended to read as follows:

14 (e) If the chief appraiser and the property owner do not
15 agree to the correction before the 15th day after the date the
16 motion is filed, a party bringing a motion under Subsection (c)[
17 ~~(c-1)~~] or (d) is entitled on request to a hearing on and a
18 determination of the motion by the appraisal review board. A party
19 bringing a motion under this section must describe the error or
20 errors that the motion is seeking to correct. If a request for
21 hearing is made on or after January 1 but before September 1, the
22 appraisal review board shall schedule the hearing to be held as soon
23 as practicable but not later than the 90th day after the date the
24 board approves the appraisal records as provided by Section 41.12.
25 If a request for hearing is made on or after September 1 but before
26 January 1 of the following tax year, the appraisal review board
27 shall schedule the hearing to be held as soon as practicable but not

1 later than the 90th day after the date the request for the hearing
2 is made. Not later than 15 days before the date of the hearing, the
3 board shall deliver written notice of the date, time, and place of
4 the hearing to the chief appraiser, the property owner, and the
5 presiding officer of the governing body of each taxing unit in which
6 the property is located. The chief appraiser, the property owner,
7 and each taxing unit are entitled to present evidence and argument
8 at the hearing and to receive written notice of the board's
9 determination of the motion. The property owner is entitled to
10 elect to present the owner's evidence and argument before, after,
11 or between the cases presented by the chief appraiser and each
12 taxing unit. A property owner who files the motion must comply with
13 the payment requirements of Section 25.26 or forfeit the right to a
14 final determination of the motion.

15 (m) The hearing on a motion under Subsection (c) [~~-(c-1)-~~]
16 or (d) shall be conducted in the manner provided by Subchapter C,
17 Chapter 41.

18 SECTION 30. Sections 26.012(6) and (15), Tax Code, are
19 amended to read as follows:

20 (6) "Current total value" means the total taxable
21 value of property listed on the appraisal roll for the current year,
22 including all appraisal roll supplements and corrections as of the
23 date of the calculation, less the taxable value of property
24 exempted for the current tax year for the first time under Section
25 11.31 [~~or 11.315~~], except that:

26 (A) the current total value for a school district
27 excludes:

1 (i) the total value of homesteads that
2 qualify for a tax limitation as provided by Section 11.26;

3 (ii) new property value of property that is
4 subject to an agreement entered into under former Subchapter B or C,
5 Chapter 313; and

6 (iii) new property value of property that
7 is subject to an agreement entered into under Subchapter T, Chapter
8 403, Government Code; and

9 (B) the current total value for a county,
10 municipality, or junior college district excludes the total value
11 of homesteads that qualify for a tax limitation provided by Section
12 11.261.

13 (15) "Lost property levy" means the amount of taxes
14 levied in the preceding year on property value that was taxable in
15 the preceding year but is not taxable in the current year because
16 the property is exempt in the current year under a provision of this
17 code other than Section [~~11.251, 11.253, or~~] 11.35, the property
18 has qualified for special appraisal under Chapter 23 in the current
19 year, or the property is located in territory that has ceased to be
20 a part of the taxing unit since the preceding year.

21 SECTION 31. Section 26.09(b), Tax Code, is amended to read
22 as follows:

23 (b) [~~The county assessor-collector shall add the properties
24 and their values certified to him as provided by Chapter 24 of this
25 code to the appraisal roll for county tax purposes.~~] The county
26 assessor-collector shall use the appraisal roll certified to the
27 county assessor-collector [~~him~~] as provided by Section 26.01 [~~with~~

1 ~~the added properties and values]~~ to calculate county taxes.

2 SECTION 32. Section 31.032(a), Tax Code, is amended to read
3 as follows:

4 (a) This section applies only to:

5 (1) real property that:

6 (A) is:

7 (i) the residence homestead of the owner or
8 consists of property that is used for residential purposes and that
9 has fewer than five living units; or

10 (ii) owned or leased by a business entity
11 that had not more than the amount calculated as provided by
12 Subsection (h) in gross receipts in the entity's most recent
13 federal tax year or state franchise tax annual period, according to
14 the applicable federal income tax return or state franchise tax
15 report of the entity;

16 (B) is located in a disaster area or emergency
17 area; and

18 (C) has been damaged as a direct result of the
19 disaster or emergency; and

20 (2) ~~[tangible personal property that is owned or
21 leased by a business entity described by Subdivision (1)(A)(ii),
22 and~~

23 ~~(3)]~~ taxes that are imposed on the property by a
24 taxing unit before the first anniversary of the disaster or
25 emergency.

26 SECTION 33. Section 31.033(b), Tax Code, is amended to read
27 as follows:

1 (b) This section applies only to:

2 (1) real property that:

3 (A) is owned or leased by a business entity that
4 had not more than the amount calculated as provided by Section
5 31.032(h) in gross receipts in the entity's most recent federal tax
6 year or state franchise tax annual period, according to the
7 applicable federal income tax return or state franchise tax report
8 of the entity;

9 (B) is located in a disaster area or emergency
10 area; and

11 (C) has not been damaged as a direct result of the
12 disaster or emergency; and

13 ~~(2) [tangible personal property that is owned or~~
14 ~~leased by a business entity described by Subdivision (1)(A); and~~

15 ~~[(3)]~~ taxes that are imposed on the property by a
16 taxing unit before the first anniversary of the disaster or
17 emergency.

18 SECTION 34. Section 41.44(a), Tax Code, is amended to read
19 as follows:

20 (a) Except as provided by Subsections (b), (c), (c-1), and
21 (c-2), to be entitled to a hearing and determination of a protest,
22 the property owner initiating the protest must file a written
23 notice of the protest with the appraisal review board having
24 authority to hear the matter protested:

25 (1) not later than May 15 or the 30th day after the
26 date that notice to the property owner was delivered to the property
27 owner as provided by Section 25.19, whichever is later;

1 (2) in the case of a protest of a change in the
2 appraisal records ordered as provided by Subchapter A of this
3 chapter or by Chapter 25, not later than the 30th day after the date
4 notice of the change is delivered to the property owner;

5 (3) in the case of a determination that a change in the
6 use of land appraised under Subchapter C, D, E, or H, Chapter 23,
7 has occurred, not later than the 30th day after the date the notice
8 of the determination is delivered to the property owner; or

9 ~~(4) [in the case of a determination of eligibility for~~
10 ~~a refund under Section 23.1243, not later than the 30th day after~~
11 ~~the date the notice of the determination is delivered to the~~
12 ~~property owner; or~~

13 ~~(5)~~ in the case of a protest of the modification or
14 denial of an application for an exemption under Section 11.35, or
15 the determination of an appropriate damage assessment rating for an
16 item of qualified property under that section, not later than the
17 30th day after the date the property owner receives the notice
18 required under Section 11.45(e).

19 SECTION 35. Section 42.01, Tax Code, is amended to read as
20 follows:

21 Sec. 42.01. RIGHT OF APPEAL BY PROPERTY OWNER. (a) A
22 property owner is entitled to appeal~~+~~

23 ~~(1)~~ an order of the appraisal review board
24 determining:

25 (1) ~~(A)~~ a protest by the property owner as provided
26 by Subchapter C of Chapter 41;

27 (2) ~~(B)~~ a motion filed under Section 25.25;

1 (3) [~~(C)~~] that the property owner has forfeited the
2 right to a final determination of a motion filed under Section 25.25
3 or of a protest under Section 41.411 for failing to comply with the
4 prepayment requirements of Section 25.26 or 41.4115, as applicable;
5 or

6 (4) [~~(D)~~ ~~eligibility for a refund requested under~~
7 ~~Section 23.1243, or~~

8 [~~(E)~~] that the appraisal review board lacks
9 jurisdiction to finally determine a protest by the property owner
10 under Subchapter C, Chapter 41, or a motion filed by the property
11 owner under Section 25.25 because the property owner failed to
12 comply with a requirement of Subchapter C, Chapter 41, or Section
13 25.25, as applicable[~~, or~~

14 [~~(2)~~ ~~an order of the comptroller issued as provided by~~
15 ~~Subchapter B, Chapter 24, apportioning among the counties the~~
16 ~~appraised value of railroad rolling stock owned by the property~~
17 ~~owner].~~

18 (b) A property owner who establishes that the owner did not
19 forfeit the right to a final determination of a motion or of a
20 protest in an appeal under Subsection (a)(3) [~~(a)(1)(C)~~] is
21 entitled to a final determination of the court, as applicable:

22 (1) of the motion filed under Section 25.25; or

23 (2) of the protest under Section 41.411 of the failure
24 of the chief appraiser or appraisal review board to provide or
25 deliver a notice to which the property owner is entitled, and, if
26 failure to provide or deliver the notice is established, of a
27 protest made by the property owner on any other grounds of protest

1 authorized by this title relating to the property to which the
2 notice applies.

3 (c) A property owner who establishes that the appraisal
4 review board had jurisdiction to issue a final determination of the
5 protest by the property owner under Subchapter C, Chapter 41, or of
6 the motion filed by the property owner under Section 25.25 in an
7 appeal under Subsection (a)(4) [~~(a)(1)(E)~~] of this section is
8 entitled to a final determination by the court of the protest under
9 Subchapter C, Chapter 41, or of the motion filed under Section
10 25.25. A final determination of a protest under Subchapter C,
11 Chapter 41, by the court under this subsection may be on any ground
12 of protest authorized by this title applicable to the property that
13 is the subject of the protest, regardless of whether the property
14 owner included the ground in the property owner's notice of
15 protest.

16 SECTION 36. Section 42.21(b), Tax Code, is amended to read
17 as follows:

18 (b) A petition for review brought under Section 42.02 must
19 be brought against the owner of the property involved in the appeal.
20 A petition for review brought under Section 42.031 must be brought
21 against the appraisal district and against the owner of the
22 property involved in the appeal. [~~A petition for review brought
23 under Section 42.01(a)(2) or 42.03 must be brought against the
24 comptroller.~~] Any other petition for review under this chapter
25 must be brought against the appraisal district. A petition for
26 review may not be brought against the appraisal review board. An
27 appraisal district may hire an attorney that represents the

1 district to represent the appraisal review board established for
2 the district to file an answer and obtain a dismissal of a suit
3 filed against the appraisal review board in violation of this
4 subsection.

5 SECTION 37. Section 42.22, Tax Code, as amended by Chapters
6 667 (S.B. 548) and 1033 (H.B. 301), Acts of the 73rd Legislature,
7 Regular Session, 1993, is reenacted and amended to read as follows:

8 Sec. 42.22. VENUE. (a) Except as provided by Subsection
9 ~~[Subsections]~~ (b) of this section ~~[and (c)],~~ and by Section 42.221,
10 venue is in the county in which the appraisal review board that
11 issued the order appealed is located.

12 (b) Venue of an action brought under Section 42.01(a)
13 ~~[42.01(1)]~~ is in the county in which the property is located or in
14 the county in which the appraisal review board that issued the order
15 is located.

16 ~~[(c) Venue is in Travis County if the order appealed was~~
17 ~~issued by the comptroller.]~~

18 SECTION 38. Sections 151.356(a) and (c), Tax Code, are
19 amended to read as follows:

20 (a) In this section:

21 (1) "Environmental protection agency of the United
22 States" includes:

23 (A) the United States Department of the Interior
24 and any agency, bureau, or other entity established in that
25 department, including the Bureau of Safety and Environmental
26 Enforcement and the Bureau of Ocean Energy Management; and

27 (B) any other department, agency, bureau, or

1 entity of the United States that prescribes rules or regulations
2 described by Subdivision (3)(A).

3 (2) "Offshore~~[, "offshore]~~ spill response containment
4 property" means tangible personal property:

5 (A) used, constructed, acquired, stored, or
6 installed solely as part of, or used solely for the development,
7 improvement, storage, deployment, repair, maintenance, or testing
8 of, an offshore spill response containment system that is stored
9 while not in use in a county bordering on the Gulf of Mexico or on a
10 bay or other body of water immediately adjacent to the Gulf of
11 Mexico [~~(1) described by Section 11.271(c)~~];

12 (B) [~~(2)~~] owned or leased by an entity formed
13 primarily for the purpose of designing, developing, modifying,
14 enhancing, assembling, operating, deploying, and maintaining an
15 offshore spill response containment system [~~described by Section~~
16 ~~11.271(f)~~]; and

17 (C) [~~(3)~~] used or intended to be used solely in
18 an offshore spill response containment system [~~as defined by~~
19 ~~Section 11.271(a)~~].

20 (3) "Offshore spill response containment system"
21 means a marine or mobile containment system that:

22 (A) is designed and used or intended to be used
23 solely to implement a response plan that meets or exceeds rules or
24 regulations adopted by any environmental protection agency of the
25 United States, this state, or a political subdivision of this state
26 for the control, reduction, or monitoring of air, water, or land
27 pollution in the event of a blowout or loss of control of an

1 offshore well drilled or used for the exploration for or production
2 of oil or gas;

3 (B) has a design capability to respond to a
4 blowout or loss of control of an offshore well drilled or used for
5 the exploration for or production of oil or gas that is drilled in
6 more than 5,000 feet of water;

7 (C) is used or intended to be used solely to
8 respond to a blowout or loss of control of an offshore well drilled
9 or used for the exploration for or production of oil or gas without
10 regard to the depth of the water in which the well is drilled; and

11 (D) except for any monitoring function for which
12 the system may be used, is used or intended to be used as a temporary
13 measure to address fugitive oil, gas, sulfur, or other minerals
14 after a leak has occurred and is not used or intended to be used
15 after the leak has been contained as a continuing means of producing
16 oil, gas, sulfur, or other minerals.

17 (4) "Rules or regulations adopted by any environmental
18 protection agency of the United States" includes 30 C.F.R. Part 254
19 and any corresponding provision or provisions of succeeding,
20 similar, substitute, proposed, or final federal regulations.

21 (c) The sale, lease, rental, storage, use, or other
22 consumption by an entity described by Subsection (a)(2)(B) [~~Section~~
23 ~~11.271(f)~~] of offshore spill response containment property used
24 solely for the purposes described by [~~Section 11.271(c) and~~] this
25 section is exempted from the taxes imposed by this chapter.

26 SECTION 39. Section [312.0021\(b\)](#), Tax Code, is amended to
27 read as follows:

1 (b) Notwithstanding any other provision of this chapter, an
2 owner or lessee of a parcel of real property that is located wholly
3 or partly in a reinvestment zone may not receive an exemption from
4 taxation of any portion of the value of the parcel of real property
5 [~~or of tangible personal property located on the parcel of real~~
6 ~~property~~] under a tax abatement agreement under this chapter that
7 is entered into on or after September 1, 2017, if, on or after that
8 date, a wind-powered energy device is installed or constructed on
9 the same parcel of real property at a location that is within 25
10 nautical miles of the boundaries of a military aviation facility
11 located in this state. The prohibition provided by this section
12 applies regardless of whether the wind-powered energy device is
13 installed or constructed at a location that is in the reinvestment
14 zone.

15 SECTION 40. Section 312.007(a), Tax Code, is amended to
16 read as follows:

17 (a) In this section, "abatement period" means the period
18 during which all or a portion of the value of real property [~~or~~
19 ~~tangible personal property~~] that is the subject of a tax abatement
20 agreement is exempt from taxation.

21 SECTION 41. Sections 312.204(a), (e), and (g), Tax Code,
22 are amended to read as follows:

23 (a) The governing body of a municipality eligible to enter
24 into tax abatement agreements under Section 312.002 may agree in
25 writing with the owner of taxable real property that is located in a
26 reinvestment zone, but that is not in an improvement project
27 financed by tax increment bonds, to exempt from taxation a portion

1 of the value of the real property [~~or of tangible personal property~~
2 ~~located on the real property, or both,~~] for a period not to exceed
3 10 years, on the condition that the owner of the property make
4 specific improvements or repairs to the property. The governing
5 body of an eligible municipality may agree in writing with the owner
6 of a leasehold interest in tax-exempt real property that is located
7 in a reinvestment zone, but that is not in an improvement project
8 financed by tax increment bonds, to exempt a portion of the value of
9 property subject to ad valorem taxation, including the leasehold
10 interest or [~~7~~] improvements [~~, or tangible personal property~~]
11 located on the real property, for a period not to exceed 10 years,
12 on the condition that the owner of the leasehold interest make
13 specific improvements or repairs to the real property. A tax
14 abatement agreement under this section is subject to the rights of
15 holders of outstanding bonds of the municipality. An agreement
16 exempting taxable real property or leasehold interests or
17 improvements on tax-exempt real property may provide for the
18 exemption of such taxable interests in each year covered by the
19 agreement only to the extent its value for that year exceeds its
20 value for the year in which the agreement is executed. [~~An~~
21 ~~agreement exempting tangible personal property located on taxable~~
22 ~~or tax-exempt real property may provide for the exemption of~~
23 ~~tangible personal property located on the real property in each~~
24 ~~year covered by the agreement other than tangible personal property~~
25 ~~that was located on the real property at any time before the period~~
26 ~~covered by the agreement with the municipality, including inventory~~
27 ~~and supplies.~~] In a municipality that has a comprehensive zoning

1 ordinance, an improvement, repair, development, or redevelopment
2 taking place under an agreement under this section must conform to
3 the comprehensive zoning ordinance.

4 (e) The governing body of a municipality eligible to enter
5 into tax abatement agreements under Section 312.002 may agree in
6 writing with the owner or lessee of real property that is located in
7 a reinvestment zone to exempt from taxation for a period not to
8 exceed 10 years a portion of the value of the real property [~~or of~~
9 ~~personal property, or both,~~] located within the zone and owned or
10 leased by a certificated air carrier, on the condition that the
11 certificated air carrier make specific real property improvements
12 or lease for a term of 10 years or more real property improvements
13 located within the reinvestment zone. An agreement may provide for
14 the exemption of the real property in each year covered by the
15 agreement to the extent its value for that year exceeds its value
16 for the year in which the agreement is executed. [~~An agreement may~~
17 ~~provide for the exemption of the personal property owned or leased~~
18 ~~by a certificated air carrier located within the reinvestment zone~~
19 ~~in each year covered by the agreement other than specific personal~~
20 ~~property that was located within the reinvestment zone at any time~~
21 ~~before the period covered by the agreement with the municipality.]~~

22 (g) Notwithstanding the other provisions of this chapter,
23 the governing body of a municipality eligible to enter into tax
24 abatement agreements under Section 312.002 may agree in writing
25 with the owner of real property that is located in a reinvestment
26 zone to exempt from taxation for a period not to exceed five years a
27 portion of the value of the real property [~~or of tangible personal~~

1 ~~property located on the real property, or both,~~] that is used to
2 provide housing for military personnel employed at a military
3 facility located in or near the municipality. An agreement may
4 provide for the exemption of the real property in each year covered
5 by the agreement only to the extent its value for that year exceeds
6 its value for the year in which the agreement is executed. [~~An~~
7 ~~agreement may provide for the exemption of tangible personal~~
8 ~~property located on the real property in each year covered by the~~
9 ~~agreement other than tangible personal property that was located on~~
10 ~~the real property at any time before the period covered by the~~
11 ~~agreement with the municipality and other than inventory or~~
12 ~~supplies.~~] The governing body of the municipality may adopt
13 guidelines and criteria for tax abatement agreements entered into
14 under this subsection that are different from the guidelines and
15 criteria that apply to tax abatement agreements entered into under
16 another provision of this section. Tax abatement agreements
17 entered into under this subsection are not required to contain
18 identical terms for the portion of the value of the property that is
19 to be exempt or for the duration of the exemption as tax abatement
20 agreements entered into with the owners of property in the
21 reinvestment zone under another provision of this section.

22 SECTION 42. Section [312.210\(b\)](#), Tax Code, is amended to
23 read as follows:

24 (b) A tax abatement agreement with the owner of real
25 property [~~or tangible personal property~~] that is located in the
26 reinvestment zone described by Subsection (a) and in a school
27 district that has a local revenue level that does not exceed the

1 level established under Section 48.257, Education Code, must exempt
2 from taxation:

3 (1) the portion of the value of the property in the
4 amount specified in the joint agreement among the municipality,
5 county, and junior college district; and

6 (2) an amount equal to 10 percent of the maximum
7 portion of the value of the property that may under Section
8 312.204(a) be otherwise exempted from taxation.

9 SECTION 43. Section 312.211(a), Tax Code, is amended to
10 read as follows:

11 (a) This section applies only to [+

12 [~~(1)~~] real property:

13 (1) [~~(A)~~] that is located in a reinvestment zone;

14 (2) [~~(B)~~] that is not in an improvement project
15 financed by tax increment bonds; and

16 (3) [~~(C)~~] that is the subject of a voluntary cleanup
17 agreement under Section 361.606, Health and Safety Code [~~and~~

18 [~~(2) tangible personal property located on the real~~
19 ~~property]~~.

20 SECTION 44. Sections 312.402(a), (a-1), and (a-3), Tax
21 Code, are amended to read as follows:

22 (a) The commissioners court may execute a tax abatement
23 agreement with the owner of taxable real property located in a
24 reinvestment zone designated under this subchapter [~~or with the~~
25 ~~owner of tangible personal property located on real property in a~~
26 ~~reinvestment zone]~~ to exempt from taxation all or a portion of the
27 value of the real property [~~all or a portion of the value of the~~

1 ~~tangible personal property located on the real property, or all or a~~
2 ~~portion of the value of both].~~

3 (a-1) The commissioners court may execute a tax abatement
4 agreement with the owner of a leasehold interest in tax-exempt real
5 property located in a reinvestment zone designated under this
6 subchapter to exempt all or a portion of the value of the leasehold
7 interest in the real property. The court may execute a tax
8 abatement agreement with the owner of [~~tangible personal property~~
9 ~~or~~] an improvement located on tax-exempt real property that is
10 located in a designated reinvestment zone to exempt all or a portion
11 of the value of the [~~tangible personal property or~~] improvement
12 located on the real property.

13 (a-3) The commissioners court may execute a tax abatement
14 agreement with a lessee of taxable real property located in a
15 reinvestment zone designated under this subchapter to exempt from
16 taxation all or a portion of the value of the fixtures,
17 improvements, or other real property owned by the lessee and
18 located on the property that is subject to the lease [~~, all or a~~
19 ~~portion of the value of tangible personal property owned by the~~
20 ~~lessee and located on the real property that is the subject of the~~
21 ~~lease, or all or a portion of the value of both the fixtures,~~
22 ~~improvements, or other real property and the tangible personal~~
23 ~~property described by this subsection].~~

24 SECTION 45. Section 71.041(5), Agriculture Code, is amended
25 to read as follows:

26 (5) "Nursery stock weather protection unit" means a
27 plant cover consisting of a series of removable, portable metal

1 hoops, covered by nonreusable plastic sheeting, shade cloth, or
2 other similar removable material, used exclusively for protecting
3 nursery products from weather elements. A nursery stock weather
4 protection unit is an implement of husbandry for all purposes[~~7~~
5 ~~including Article VIII, Section 19a, of the Texas Constitution~~].

6 SECTION 46. Section 93.001(2), Business & Commerce Code, is
7 amended to read as follows:

8 (2) "Heavy equipment" means self-propelled,
9 self-powered, or pull-type equipment, including farm equipment or a
10 diesel engine, that weighs at least 1,500 pounds and is intended to
11 be used for agricultural, construction, industrial, maritime,
12 mining, or forestry uses. The term does not include a motor
13 vehicle that is required by:

14 (A) Chapter 501, Transportation Code, to be
15 titled; or

16 (B) Chapter 502, Transportation Code, to be
17 registered [~~has the meaning assigned by Section 23.1241, Tax Code~~].

18 SECTION 47. Sections 89.003(a) and (b), Finance Code, are
19 amended to read as follows:

20 (a) Each association and each federal association shall
21 render for ad valorem taxation all of its personal property, other
22 than tangible personal property [~~furniture, fixtures, equipment,~~
23 ~~and automobiles~~], as a whole at the value remaining after deducting
24 the following from the total value of its entire assets:

- 25 (1) all debts that it owes;
26 (2) all tax-free securities that it owns;
27 (3) its loss reserves and surplus;

1 (4) its savings liability; ~~and~~

2 (5) the appraised value of its ~~[furniture, fixtures,~~
3 ~~and]~~ real property; and

4 (6) the value of its tangible personal property.

5 (b) The association or federal association shall render the
6 personal property, other than tangible personal property
7 ~~[furniture, fixtures, equipment, and automobiles]~~, to the chief
8 appraiser of the appraisal district in the county in which its
9 principal office is located.

10 SECTION 48. Sections 403.302(d) and (i), Government Code,
11 as effective until January 1, 2027, are amended to read as follows:

12 (d) For the purposes of this section, "taxable value" means
13 the market value of all taxable property less:

14 (1) the total dollar amount of any residence homestead
15 exemptions lawfully granted under Section 11.13(b) or (c), Tax
16 Code, in the year that is the subject of the study for each school
17 district;

18 (2) one-half of the total dollar amount of any
19 residence homestead exemptions granted under Section 11.13(n), Tax
20 Code, in the year that is the subject of the study for each school
21 district;

22 (3) the total dollar amount of any exemptions granted
23 before May 31, 1993, within a reinvestment zone under agreements
24 authorized by Chapter 312, Tax Code;

25 (4) subject to Subsection (e), the total dollar amount
26 of any captured appraised value of property that:

27 (A) is within a reinvestment zone created on or

1 before May 31, 1999, or is proposed to be included within the
2 boundaries of a reinvestment zone as the boundaries of the zone and
3 the proposed portion of tax increment paid into the tax increment
4 fund by a school district are described in a written notification
5 provided by the municipality or the board of directors of the zone
6 to the governing bodies of the other taxing units in the manner
7 provided by former Section 311.003(e), Tax Code, before May 31,
8 1999, and within the boundaries of the zone as those boundaries
9 existed on September 1, 1999, including subsequent improvements to
10 the property regardless of when made;

11 (B) generates taxes paid into a tax increment
12 fund created under Chapter 311, Tax Code, under a reinvestment zone
13 financing plan approved under Section 311.011(d), Tax Code, on or
14 before September 1, 1999; and

15 (C) is eligible for tax increment financing under
16 Chapter 311, Tax Code;

17 (5) the total dollar amount of any captured appraised
18 value of property that:

19 (A) is within a reinvestment zone:

20 (i) created on or before December 31, 2008,
21 by a municipality with a population of less than 18,000; and

22 (ii) the project plan for which includes
23 the alteration, remodeling, repair, or reconstruction of a
24 structure that is included on the National Register of Historic
25 Places and requires that a portion of the tax increment of the zone
26 be used for the improvement or construction of related facilities
27 or for affordable housing;

1 (B) generates school district taxes that are paid
2 into a tax increment fund created under Chapter 311, Tax Code; and

3 (C) is eligible for tax increment financing under
4 Chapter 311, Tax Code;

5 (6) ~~[the total dollar amount of any exemptions granted
6 under Section 11.251 or 11.253, Tax Code,~~

7 ~~(7)]~~ the difference between the comptroller's
8 estimate of the market value and the productivity value of land that
9 qualifies for appraisal on the basis of its productive capacity,
10 except that the productivity value estimated by the comptroller may
11 not exceed the fair market value of the land;

12 (7) ~~(8)]~~ the portion of the appraised value of
13 residence homesteads of individuals who receive a tax limitation
14 under Section 11.26, Tax Code, on which school district taxes are
15 not imposed in the year that is the subject of the study, calculated
16 as if the residence homesteads were appraised at the full value
17 required by law;

18 (8) ~~(9)]~~ a portion of the market value of property
19 not otherwise fully taxable by the district at market value because
20 of action required by statute or the constitution of this state~~]~~
21 ~~other than Section 11.311, Tax Code,~~ that, if the tax rate adopted
22 by the district is applied to it, produces an amount equal to the
23 difference between the tax that the district would have imposed on
24 the property if the property were fully taxable at market value and
25 the tax that the district is actually authorized to impose on the
26 property, if this subsection does not otherwise require that
27 portion to be deducted;

1 (9) [~~(10)~~] ~~the market value of all tangible personal~~
2 ~~property, other than manufactured homes, owned by a family or~~
3 ~~individual and not held or used for the production of income;~~

4 ~~[(11)]~~ the appraised value of property the collection
5 of delinquent taxes on which is deferred under Section 33.06, Tax
6 Code;

7 (10) [~~(12)~~] the portion of the appraised value of
8 property the collection of delinquent taxes on which is deferred
9 under Section 33.065, Tax Code;

10 (11) [~~(13)~~] the amount by which the market value of
11 property to which Section 23.23 or 23.231, Tax Code, applies
12 exceeds the appraised value of that property as calculated under
13 Section 23.23 or 23.231, Tax Code, as applicable; and

14 (12) [~~(14)~~] the total dollar amount of any exemptions
15 granted under Section 11.35, Tax Code.

16 (i) If the comptroller determines in the study that the
17 market value of property in a school district as determined by the
18 appraisal district that appraises property for the school district,
19 less the total of the amounts and values listed in Subsection (d) as
20 determined by that appraisal district, is valid, the comptroller,
21 in determining the taxable value of property in the school district
22 under Subsection (d), shall for purposes of Subsection (d)(11)
23 [~~(d)(13)~~] subtract from the market value as determined by the
24 appraisal district of properties to which Section 23.23 or 23.231,
25 Tax Code, applies the amount by which that amount exceeds the
26 appraised value of those properties as calculated by the appraisal
27 district under Section 23.23 or 23.231, Tax Code, as

1 applicable. If the comptroller determines in the study that the
2 market value of property in a school district as determined by the
3 appraisal district that appraises property for the school district,
4 less the total of the amounts and values listed in Subsection (d) as
5 determined by that appraisal district, is not valid, the
6 comptroller, in determining the taxable value of property in the
7 school district under Subsection (d), shall for purposes of
8 Subsection (d)(11) [~~(d)(13)~~] subtract from the market value as
9 estimated by the comptroller of properties to which Section 23.23
10 or 23.231, Tax Code, applies the amount by which that amount exceeds
11 the appraised value of those properties as calculated by the
12 appraisal district under Section 23.23 or 23.231, Tax Code, as
13 applicable.

14 SECTION 49. Sections 403.302(d) and (i), Government Code,
15 as effective January 1, 2027, are amended to read as follows:

16 (d) For the purposes of this section, "taxable value" means
17 the market value of all taxable property less:

18 (1) the total dollar amount of any residence homestead
19 exemptions lawfully granted under Section 11.13(b) or (c), Tax
20 Code, in the year that is the subject of the study for each school
21 district;

22 (2) one-half of the total dollar amount of any
23 residence homestead exemptions granted under Section 11.13(n), Tax
24 Code, in the year that is the subject of the study for each school
25 district;

26 (3) the total dollar amount of any exemptions granted
27 before May 31, 1993, within a reinvestment zone under agreements

1 authorized by Chapter 312, Tax Code;

2 (4) subject to Subsection (e), the total dollar amount
3 of any captured appraised value of property that:

4 (A) is within a reinvestment zone created on or
5 before May 31, 1999, or is proposed to be included within the
6 boundaries of a reinvestment zone as the boundaries of the zone and
7 the proposed portion of tax increment paid into the tax increment
8 fund by a school district are described in a written notification
9 provided by the municipality or the board of directors of the zone
10 to the governing bodies of the other taxing units in the manner
11 provided by former Section 311.003(e), Tax Code, before May 31,
12 1999, and within the boundaries of the zone as those boundaries
13 existed on September 1, 1999, including subsequent improvements to
14 the property regardless of when made;

15 (B) generates taxes paid into a tax increment
16 fund created under Chapter 311, Tax Code, under a reinvestment zone
17 financing plan approved under Section 311.011(d), Tax Code, on or
18 before September 1, 1999; and

19 (C) is eligible for tax increment financing under
20 Chapter 311, Tax Code;

21 (5) the total dollar amount of any captured appraised
22 value of property that:

23 (A) is within a reinvestment zone:

24 (i) created on or before December 31, 2008,
25 by a municipality with a population of less than 18,000; and

26 (ii) the project plan for which includes
27 the alteration, remodeling, repair, or reconstruction of a

1 structure that is included on the National Register of Historic
2 Places and requires that a portion of the tax increment of the zone
3 be used for the improvement or construction of related facilities
4 or for affordable housing;

5 (B) generates school district taxes that are paid
6 into a tax increment fund created under Chapter 311, Tax Code; and

7 (C) is eligible for tax increment financing under
8 Chapter 311, Tax Code;

9 (6) ~~[the total dollar amount of any exemptions granted~~
10 ~~under Section 11.251 or 11.253, Tax Code,~~

11 ~~(7)]~~ the difference between the comptroller's
12 estimate of the market value and the productivity value of land that
13 qualifies for appraisal on the basis of its productive capacity,
14 except that the productivity value estimated by the comptroller may
15 not exceed the fair market value of the land;

16 (7) ~~(8)]~~ the portion of the appraised value of
17 residence homesteads of individuals who receive a tax limitation
18 under Section 11.26, Tax Code, on which school district taxes are
19 not imposed in the year that is the subject of the study, calculated
20 as if the residence homesteads were appraised at the full value
21 required by law;

22 (8) ~~(9)]~~ a portion of the market value of property
23 not otherwise fully taxable by the district at market value because
24 of action required by statute or the constitution of this state~~]~~
25 ~~other than Section 11.311, Tax Code,~~ that, if the tax rate adopted
26 by the district is applied to it, produces an amount equal to the
27 difference between the tax that the district would have imposed on

1 the property if the property were fully taxable at market value and
2 the tax that the district is actually authorized to impose on the
3 property, if this subsection does not otherwise require that
4 portion to be deducted;

5 (9) [~~(10)~~] ~~the market value of all tangible personal~~
6 ~~property, other than manufactured homes, owned by a family or~~
7 ~~individual and not held or used for the production of income;~~

8 [~~(11)~~] the appraised value of property the collection
9 of delinquent taxes on which is deferred under Section 33.06, Tax
10 Code;

11 (10) [~~(12)~~] the portion of the appraised value of
12 property the collection of delinquent taxes on which is deferred
13 under Section 33.065, Tax Code;

14 (11) [~~(13)~~] the amount by which the market value of a
15 residence homestead to which Section 23.23, Tax Code, applies
16 exceeds the appraised value of that property as calculated under
17 that section; and

18 (12) [~~(14)~~] the total dollar amount of any exemptions
19 granted under Section 11.35, Tax Code.

20 (i) If the comptroller determines in the study that the
21 market value of property in a school district as determined by the
22 appraisal district that appraises property for the school district,
23 less the total of the amounts and values listed in Subsection (d) as
24 determined by that appraisal district, is valid, the comptroller,
25 in determining the taxable value of property in the school district
26 under Subsection (d), shall for purposes of Subsection (d)(11)
27 [~~(d)(13)~~] subtract from the market value as determined by the

1 appraisal district of residence homesteads to which Section 23.23,
 2 Tax Code, applies the amount by which that amount exceeds the
 3 appraised value of those properties as calculated by the appraisal
 4 district under Section 23.23, Tax Code. If the comptroller
 5 determines in the study that the market value of property in a
 6 school district as determined by the appraisal district that
 7 appraises property for the school district, less the total of the
 8 amounts and values listed in Subsection (d) as determined by that
 9 appraisal district, is not valid, the comptroller, in determining
 10 the taxable value of property in the school district under
 11 Subsection (d), shall for purposes of Subsection (d)(11) [~~(d)(13)~~]
 12 subtract from the market value as estimated by the comptroller of
 13 residence homesteads to which Section 23.23, Tax Code, applies the
 14 amount by which that amount exceeds the appraised value of those
 15 properties as calculated by the appraisal district under Section
 16 23.23, Tax Code.

17 SECTION 50. Section 403.602(9), Government Code, as added
 18 by Chapter 377 (H.B. 5), Acts of the 88th Legislature, Regular
 19 Session, 2023, is amended to read as follows:

20 (9) "Eligible property" means property that:
 21 (A) is used as part of an eligible project that is
 22 wholly owned by an applicant or leased by an applicant under a
 23 capitalized lease; and

24 (B) consists of[+
 25 [~~(A)~~] a new building or expansion of an existing
 26 building, including a permanent, nonremovable component of a
 27 building, that is:

1 (i) constructed after the date the
2 agreement pertaining to the project is entered into; and

3 (ii) located in an area designated as a
4 reinvestment zone under Chapter 311 or 312, Tax Code, or as an
5 enterprise zone under Chapter 2303 of this code, at the time the
6 agreement pertaining to the project is entered into[~~, or~~

7 [~~(B) tangible personal property, other than~~
8 ~~inventory, first located in the zone described by Paragraph (A)(ii)~~
9 ~~after the date the agreement pertaining to the project is entered~~
10 ~~into].~~

11 SECTION 51. Section 503.038(a), Transportation Code, as
12 effective July 1, 2025, is amended to read as follows:

13 (a) The department may cancel a dealer's general
14 distinguishing number if the dealer:

15 (1) falsifies or forges a title document, including an
16 affidavit making application for a certified copy of a title;

17 (2) files a false or forged tax document, including a
18 sales tax affidavit;

19 (3) fails to take assignment of any basic evidence of
20 ownership, including a certificate of title or manufacturer's
21 certificate, for a vehicle the dealer acquires;

22 (4) fails to assign any basic evidence of ownership,
23 including a certificate of title or manufacturer's certificate, for
24 a vehicle the dealer sells;

25 (5) uses or permits the use of a dealer's license plate
26 on a vehicle that the dealer does not own or control or that is not
27 in stock and offered for sale;

1 (6) makes a material misrepresentation in an
2 application or other information filed with the department;

3 (7) fails to maintain the qualifications for a general
4 distinguishing number;

5 (8) fails to provide to the department within 30 days
6 after the date of demand by the department satisfactory and
7 reasonable evidence that the person is regularly and actively
8 engaged in business as a wholesale or retail dealer;

9 (9) has been licensed for at least 12 months and has
10 not assigned at least five vehicles during the previous 12-month
11 period;

12 (10) ~~[has failed to demonstrate compliance with~~
13 ~~Sections 23.12, 23.121, and 23.122, Tax Code;~~

14 ~~[(11)]~~ uses or allows the use of the dealer's general
15 distinguishing number or the location for which the general
16 distinguishing number is issued to avoid the requirements of this
17 chapter; or

18 (11) ~~[(12)]~~ otherwise violates this chapter or a rule
19 adopted under this chapter.

20 SECTION 52. (a) The following provisions of the Tax Code
21 are repealed:

22 (1) Section 6.24(c);

23 (2) Sections 11.01(c), (d), and (e);

24 (3) Section 11.11(h);

25 (4) Section 11.14;

26 (5) Section 11.141;

27 (6) Section 11.145;

- 1 (7) Section 11.15;
- 2 (8) Section 11.16;
- 3 (9) Section 11.161;
- 4 (10) Section 11.23(f);
- 5 (11) Section 11.25;
- 6 (12) Section 11.251;
- 7 (13) Section 11.252;
- 8 (14) Section 11.253;
- 9 (15) Section 11.254;
- 10 (16) Section 11.27(a-1);
- 11 (17) Section 11.271;
- 12 (18) Section 11.311;
- 13 (19) Section 11.315;
- 14 (20) Section 11.33;
- 15 (21) Section 11.36, as added by Chapter 364 (S.B.
- 16 2289), Acts of the 88th Legislature, Regular Session, 2023;
- 17 (22) Section 11.437;
- 18 (23) Section 11.4391;
- 19 (24) Section 21.02;
- 20 (25) Section 21.021;
- 21 (26) Section 21.03;
- 22 (27) Section 21.031;
- 23 (28) Section 21.04;
- 24 (29) Section 21.05;
- 25 (30) Section 21.055;
- 26 (31) Section 21.07;
- 27 (32) Section 21.09;

- 1 (33) Section 21.10;
 - 2 (34) Sections 22.01(e), (i), (j), (k), and (m);
 - 3 (35) Sections 22.04(b), (c), and (d);
 - 4 (36) Sections 22.07(a) and (b);
 - 5 (37) Section 23.121;
 - 6 (38) Section 23.1211;
 - 7 (39) Section 23.122;
 - 8 (40) Section 23.123;
 - 9 (41) Section 23.124;
 - 10 (42) Section 23.1241;
 - 11 (43) Section 23.1242;
 - 12 (44) Section 23.1243;
 - 13 (45) Section 23.125;
 - 14 (46) Section 23.126;
 - 15 (47) Section 23.127;
 - 16 (48) Section 23.128;
 - 17 (49) Section 23.129;
 - 18 (50) Section 23.24;
 - 19 (51) Chapter 24;
 - 20 (52) Section 25.25(c-1);
 - 21 (53) Section 33.11;
 - 22 (54) Section 41.413(a);
 - 23 (55) Section 41.47(c-1);
 - 24 (56) Section 42.03; and
 - 25 (57) Section 42.05.
- 26 (b) Sections 49.302(b) and 49.304, Education Code, are
27 repealed.

1 (c) Section 89.003(c), Finance Code, is repealed.

2 (d) Sections 379B.011(c), (d), and (e) and 507.201(b),
3 Local Government Code, are repealed.

4 (e) Sections 3501.004(c), (d), and (e), Special District
5 Local Laws Code, are repealed.

6 SECTION 53. Sections 23.121, 23.122, 23.123, 23.124,
7 23.125, 23.126, 23.127, and 23.128, Tax Code, as repealed by this
8 Act, apply only to an offense committed before the effective date of
9 this Act. An offense committed before the effective date of this Act
10 is governed by the law in effect on the date the offense was
11 committed, and the former law is continued in effect for that
12 purpose. For purposes of this section, an offense was committed
13 before the effective date of this Act if any element of the offense
14 occurred before that date.

15 SECTION 54. The changes made to Section 25.25, Tax Code, by
16 this Act apply only to a motion to correct an appraisal roll filed
17 on or after the effective date of this Act. A motion to correct an
18 appraisal roll filed before the effective date of this Act is
19 governed by the law in effect on the date the motion was filed, and
20 the former law is continued in effect for that purpose.

21 SECTION 55. Sections 403.302(d) and (i), Government Code, as
22 amended by this Act, apply only to the determination of the total
23 taxable value of property in a school district for a tax year that
24 begins on or after the effective date of this Act. The determination
25 of the total taxable value of property in a school district for a
26 tax year that begins before the effective date of this Act is
27 governed by the law in effect immediately before that date, and the

1 former law is continued in effect for that purpose.

2 SECTION 56. Notwithstanding the changes in law made by this
3 Act to the provisions of the Tax Code, Agriculture Code, Business &
4 Commerce Code, Finance Code, Government Code, and Transportation
5 Code amended by this Act and the repeal by this Act of provisions of
6 the Tax Code and Finance Code, each of those provisions, as it
7 existed immediately before January 1, 2026, is continued in effect
8 for the purpose of the levy and collection of an ad valorem tax on
9 tangible personal property imposed:

10 (1) before January 1, 2026; or

11 (2) pursuant to Section 1(b-1), Article VIII, Texas
12 Constitution.

13 SECTION 57. This Act takes effect January 1, 2026, but only
14 if the constitutional amendment proposed by the 89th Legislature,
15 Regular Session, 2025, exempting tangible personal property from ad
16 valorem taxation is approved by the voters. If that amendment is
17 not approved by the voters, this Act has no effect.