

By: Phelan

H.B. No. 4399

A BILL TO BE ENTITLED

AN ACT

relating to the authority of an appraisal review board to direct changes in the appraisal roll and related appraisal records if a residence homestead is sold for less than the appraised value.

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

SECTION 1. Section 25.25, Tax Code, is amended by adding Subsection (c-2) and amending Subsections (e), (l), and (m) to read as follows:

(c-2) The appraisal review board, on motion of the chief appraiser or of a property owner, may direct by written order changes in the appraisal roll or related records as provided by this subsection. The board may order the appraised value of the owner's property in the current tax year and either of the two preceding tax years to be changed to the sales price of the property in the current tax year if, for each tax year for which the change is to be made:

(1) the property qualifies as that owner's residence homestead;

(2) the sales price of the property is at least 10 percent less than the appraised value of the property; and

(3) the board makes a finding that the sales price reflects the market value of the property.

(e) If the chief appraiser and the property owner do not agree to the correction before the 15th day after the date the

1 motion is filed, a party bringing a motion under Subsection (c),
 2 (c-1), (c-2), or (d) is entitled on request to a hearing on and a
 3 determination of the motion by the appraisal review board. A party
 4 bringing a motion under this section must describe the error or
 5 errors or other matter that the motion is seeking to correct. If a
 6 request for hearing is made on or after January 1 but before
 7 September 1, the appraisal review board shall schedule the hearing
 8 to be held as soon as practicable but not later than the 90th day
 9 after the date the board approves the appraisal records as provided
 10 by Section 41.12. If a request for hearing is made on or after
 11 September 1 but before January 1 of the following tax year, the
 12 appraisal review board shall schedule the hearing to be held as soon
 13 as practicable but not later than the 90th day after the date the
 14 request for the hearing is made. Not later than 15 days before the
 15 date of the hearing, the board shall deliver written notice of the
 16 date, time, and place of the hearing to the chief appraiser, the
 17 property owner, and the presiding officer of the governing body of
 18 each taxing unit in which the property is located. The chief
 19 appraiser, the property owner, and each taxing unit are entitled to
 20 present evidence and argument at the hearing and to receive written
 21 notice of the board's determination of the motion. The property
 22 owner is entitled to elect to present the owner's evidence and
 23 argument before, after, or between the cases presented by the chief
 24 appraiser and each taxing unit. A property owner who files the
 25 motion must comply with the payment requirements of Section 25.26
 26 or forfeit the right to a final determination of the motion.

27 (1) A motion may be filed under Subsection (c) or (c-2)

1 regardless of whether, for a tax year to which the motion relates,
2 the owner of the property protested under Chapter 41 an action
3 relating to the value of the property that is the subject of the
4 motion.

5 (m) The hearing on a motion under Subsection (c), (c-1),
6 (c-2), or (d) shall be conducted in the manner provided by
7 Subchapter C, Chapter 41.

8 SECTION 2. The changes in law made by this Act apply only to
9 a motion to correct an appraisal roll filed on or after the
10 effective date of this Act. A motion to correct an appraisal roll
11 filed before the effective date of this Act is governed by the law
12 in effect on the date the motion was filed, and the former law is
13 continued in effect for that purpose.

14 SECTION 3. This Act takes effect immediately if it receives
15 a vote of two-thirds of all the members elected to each house, as
16 provided by Section 39, Article III, Texas Constitution. If this
17 Act does not receive the vote necessary for immediate effect, this
18 Act takes effect September 1, 2025.