

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 89TH LEGISLATIVE REGULAR SESSION

March 7, 2025

TO: Honorable Morgan Meyer, Chair, House Committee on Ways & Means

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HJR2 by Geren (Proposing a constitutional amendment prohibiting the legislature from imposing death taxes applicable to a decedent's property or the transfer of an estate, inheritance, legacy, succession, or gift.), **As Introduced**

No fiscal implication to the State is anticipated, other than the cost of publication.

The cost to the state for publication of the resolution is \$191,689.

The resolution would prohibit the Legislature from imposing a state tax on the property of a deceased individual's estate because of the death of the individual. The resolution would prohibit the Legislature from imposing a state tax on the transfer of an estate, inheritance, legacy, succession, or gift from an individual, family, estate, or trust to another individual, family, estate, or trust if the tax were not in effect on January 1, 2025. If such a tax were in effect on January 1, 2025, the Legislature would be prohibited from expanding the rate or applicability of that tax beyond the rate or tax base in effect on January 1, 2025.

Texas currently has no tax on a decedent's estate. The proposed amendment would not prohibit a change in the rate or applicability of the \$10 tax currently assessed under the Motor Vehicle Sales and Use Tax on certain recipients of motor vehicles that were received as a gift.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 304 Comptroller of Public Accounts

LBB Staff: JMc, KK, SD, BRI