



Legislative Update *June 8, 2023*

The deadline for the Governor to sign or veto bills is June 18, 2023.

Table of Contents

PROPERTY TAX BILLS	2
APPRAISAL DISTRICT ISSUES	4
EXEMPTIONS	11
TRUTH IN TAXATION	14
LOCAL GOVERNMENT ADMINISTRATION	17
OPEN MEETINGS/OPEN RECORDS	19
MISCELLANEOUS	20

PROPERTY TAX BILLS

[HB 1382](#) [Hernandez, Ana\(D\)](#)[Bettencourt, Paul\(R\)](#) Relating to the public sale of real property taken in execution of a judgment.

Amends Sections 34.041, Civil Practice and Remedies Code.

Allows for the commissioners court of a county to authorize the officer charged with conducting public auctions to use an online auction format. The rules adopted under this subsection will take effect on the 90th day after the date the rules are published in the real property records of the county.

Online sales shall not apply to a sale of real property conducted under Section 51.002, Property Code (deed of trust or other contract lien).

Last Action: 9- 1-23 G Earliest effective date

[HB 4250](#) [Lalani, Suleman \(F\)\(D\)](#) [Miles, Borris\(D\)](#) Relating to the right of the clerk of a court to deduct from the amount of the excess proceeds from an ad valorem tax sale of property the cost of postage for sending to the former owner of the property a notice.

Amends Section 34.03, Tax Code.

Provides that a clerk may deduct from the amount of the excess proceeds, the cost of postage for sending a notice under Subsection (a)(1) to the former owner.

Proposed effective: 9-1-23.

Last Action: 5-28-23 G Sent to the Governor

[HB 4559](#) [Darby, Drew\(R\)](#) [Huffman, Joan\(R\)](#) Relating to the application of statutes that classify political subdivisions according to population.

Amends Section 11.18(p), Tax Code.

States that the exemption under Sec. 11.18(d)(23) for organizations providing housing and related services to homeless individuals applies a county with a population of more than 1.2 million (rather than one million) to 1.5 million, or a municipality of more than 100,00 and less than 250,000, part of which is located in a county with a population of less than 5,500 (rather than 5,000).

Amends Section 11.1825, Tax Code.

Allows a taxing unit to change the amount of the exemption if the unit is located in a county with a population of at least 2.1 million (rather than 1.8 million). Taxing units have to approve the exemption if located in a county with a population of at least 2.1 million (rather than 1.8 million).

Proposed effective: 9-1-23.

Last Action: 5-22-23 G Sent to the Governor

[SB 59](#) [Zaffirini, Judith\(D\)](#) [King, Tracy\(D\)](#) Relating to notice of water and wastewater requirements for the foreclosure sale of residential properties by certain political subdivisions.

Amends Sections 232.0315 (a) and (b), Local Government Code.

Applies the section to both counties and other political subdivisions located in the county. The current section applies to counties only.

Amends Section 34.01(e), Tax Code.

Requires the notice of sale to include the statement under Section 232.0315, Local Government Code, if the real property subject to the sale is located in a county subject to Subchapter B, Chapter 232, of that code and is presumed to be for residential use under Section 232.022 of that code.

Last Action: 9- 1-23 G Earliest effective date

[SB 62](#) [Zaffirini, Judith\(D\)](#) [Guillen, Ryan\(R\)](#) Relating to posting certain documents and information related to certain real property sales on a county's Internet website.

Amends 34.015, Tax Code and Section 51.002(f-1), Property Code.

Requires county assessor-collector to post on the county's website the form used to request a statement showing there are no delinquent taxes due to the taxing units within the county for the purposes of bidding on tax sale properties. Alternatively, the county assessor-collector can share a link to the state comptroller's website for the same form.

Requires counties to prominently post notice of sale for sale of real property under contract lien filed with the county clerk on the county's internet website. The notice shall include the date, time and location of the sale; requirements for bidder eligibility; and where to make payments.

Last Action: 9- 1-23 G Earliest effective date

[SB 539](#) [Campbell, Donna\(R\)](#) [Craddick, Tom\(R\)](#) Relating to the manner in which an individual who has elected to defer collection of a tax, abate a suit to collect a delinquent tax, or abate a sale to foreclose a tax lien.

Amends Section 33.03, Tax Code.

Requires the collector for the taxing unit to indicate on each delinquent tax roll whether the delinquent tax is deferred or abated, if applicable.

Proposed effective: 1-1-24.

Last Action: 5-23-23 G Sent to the Governor

[SB 2091](#) [West, Royce\(D\)](#) [Sherman, Carl\(D\)](#) Relating to the authority of a taxing unit to sell certain seized or foreclosed property to an owner of an abutting property without conducting a public sale.

Amends Subchapter A, Chapter 34, Tax Code.

Adds Section 34.0101 to allow for a narrow strip of land that cannot be used independently, land that is landlocked, or land located in a floodway, to be sold to an owner of an abutting property at a private sale, so long as the property is first offered for sale at a public auction and a bid is not received for same.

If the property abuts two or more adjacent parcels with different owners, notice of the sale must be given to each adjacent owner, stating that the taxing unit will offer the property for sale, accept sealed bids, and sell the property to the highest bidder.

The property may not be sold for an amount that is less than the lesser of the properties market value, the amount provided for under 34.01(p) if seized under a tax warrant, or the amount provided by 34.01(b) if ordered sold pursuant to a foreclosure of a tax lien.

Proposed effective: 9-1-23.

Last Action: 5-29-23 G Sent to the Governor

APPRAISAL DISTRICT ISSUES

[HB 260](#) [Murr, Andrew\(R\)](#) [Perry, Charles\(R\)](#) Relating to the calculation of net to land in the appraisal of open-space land for ad valorem tax purposes.

Amends Section 23.51(4), Tax Code.

Requires chief appraiser to take into consideration the effect of wildlife or livestock disease or pest area designated by a state agency when calculating "net to land" for property that qualifies for valuation as open-space land.

Last Action: 1- 1-24 G Earliest effective date

[HB 796](#) [Button, Angie Chen\(R\)](#) [Bettencourt, Paul\(R\)](#) Relating to the creation and maintenance by an appraisal district of a publicly available Internet database of information regarding protest hearings conducted by the appraisal review board established for the district.

Amends Section 26.17(c), Tax Code.

Requires appraisal district website to include link to the Internet database required under Section 41.13, as added by this bill.

Adds Section 41.13, Tax Code.

Requires a chief appraiser to create and maintain a publicly available and searchable Internet database with information on protest hearings conducted by the appraisal review

board (ARB), including attendees, date and time of the hearing, the account number and category for the property, the appraised value according to the appraisal district and the property owner's asserted value, and the ARB's determination. Requires chief appraiser to update the database not later than October 1 of each year. Requires chief appraiser to update the database beginning January 1, 2025, to include the most recent tax year and each subsequent year until the database includes the most recent five tax years. Requires, beginning January 1, 2030, for the database to include the information for the previous five tax years.

Last Action: 1- 1-24 G Earliest effective date

[HB 1228](#) [Metcalf, Will\(R\)](#) [Springer, Drew\(R\)](#) Relating to the right of a property owner or the owner's agent to receive on request a copy of the information used to appraise the owner's property for ad valorem tax purposes.

Amends Sections 1.07 and 1.085, Tax Code.

Requires a "tax official" to deliver any "communication" electronically if the property owner or owner's designee under Section 1.111(f) elects to exchange communications electronically under Section 1.085. Defines "tax official" as a chief appraiser, an appraisal district, an appraisal review board, an assessor, a collector, or a taxing unit. Defines "communication" broadly as notice, rendition, application form, appraisal review board order, bill, etc., "or other item of information required or permitted to be delivered under a provision of" the Tax Code.

Requires a tax official to establish a procedure for a property owner to make the election for electronic communications, which specifies the manner in which communications will be exchanged and the method that will be used to confirm the delivery of communications.

Provides that the election must be made on form prescribed by property owner and that election remains in effect until rescinded in writing.

Prohibits a tax official from charging a fee for electronic exchange of communications.

Requires tax officials to prominently display the information necessary for proper electronic delivery of communications to the official on the official's Internet website and on each communication sent by the official to a property owner or a person designated by a property owner under Section 1.111(f) that requires the property owner or designee to submit a communication to the tax official.

Prescribes effective dates and timeliness of electronically delivered communications. Requires comptroller to adopt rules and guidelines for the electronic delivery of communications and the implementation of this bill by tax officials.

Requires tax officials to accept and "acknowledge the receipt of a communication delivered electronically."

Amends Section 41.47(d), Tax Code.

Requires appraisal review board to deliver notice of board order electronically, if the owner or agent elected to receive electronic communications.

Amends Sections 25.192(d), 25.193(b), and 41.461(c) to account for changes.

Requires an appraisal district established in a county with a population of 120,000 or more and each taxing unit located wholly or primarily in such an appraisal district to comply with amendments to Section 1.085 beginning with the 2024 tax year. Requires an appraisal district and taxing units in a county with a population of less than 120,000 to comply beginning with the 2025 tax year. Amends Section 25.195, Tax Code, adding several subsections and amending others to conform to additions.

Requires chief appraiser to provide, free of charge, on the request of a property owner, the appraisal records relating to property of the property owner, together with supporting data, schedules, and other information used in making the appraisal records relating to the property.

Requires a private appraisal firm that appraises a property to provide, free of charge, on the request of a property owner, all information pertaining to the property that the firm considered in appraising the property, including all calculations, personal notes, correspondence, and working papers used in appraising the property.

Repeals Sections 1.085(b), (c), (g), (h), (k), (l), and (m); 1.086; 41.46(e); and 41.47(d-1), Tax Code.

Proposed effective: 1-1-24.

Last Action: 5-30-23 G Sent to the Governor

[HB 1285](#) [Shine, Hugh\(R\)](#) [Springer, Drew\(R\)](#) Relating to the duties of the taxpayer liaison officer of an appraisal district.

Amends Section 5.06, Tax Code.

Requires Comptroller to prepare and electronically publish a taxpayer assistance pamphlet explaining remedies to dissatisfied taxpayers, describing the functions of a taxpayer liaison officer, and providing advice on preparing and presenting protests to the appraisal review board under Chapter 41.

Amends Section 6.052, Tax Code.

Authorizes the appointment of one or more deputy taxpayer liaison officers to assist the taxpayer liaison officer (TLO). Provides actions TLO may take in response to a complaint, such as meeting informally to facilitate informal resolution, assisting the complainant in identifying appropriate procedures, or recommending in writing a course of action the TLO deems appropriate. Authorizes TLO to dismiss complaints based on appraisal of property. Specifies that a TLO's failure or refusal to resolve a complaint to complainant's satisfaction may not be protested under Chapter 41 or appealed under Chapter 42. Requires the comptroller to publish the functions of the TLO and establish a training program for TLOs. Requires TLOs to complete comptroller's training after appointment and in each even-numbered year thereafter or be ineligible to serve as a TLO. Requires TLO's name and contact information to be listed on appraisal district's website. Mandates the Board of Directors annually evaluate TLO.

Amends Section 41.66(q), Tax Code.

Transfers district's board of directors' authority to remove ARB chair in certain circumstances to the local administrative judge. Requires local administrative judge who removes a chair of an ARB to appoint another member of the ARB as chair.

Last Action: 1- 1-24 G Earliest effective date

[HB 2121](#) [Paul, Dennis\(R\)](#) [Springer, Drew\(R\)](#) Relating to the form of a rendition statement or property report used to render property for ad valorem tax purposes.

Amends Section 22.24(e), Tax Code.

Adds to the list of persons who are not required to swear to the truth and accuracy of a rendition a person who files a rendition on behalf of a property owner who is rendering tangible personal property used to produce income whose good faith estimate of the market value of that property is not more than \$150,000.

Proposed effective: 1-1-24.

Last Action: 5-30-23 G Sent to the Governor

[HB 2354](#) [Hefner, Cole\(R\)](#) [Springer, Drew\(R\)](#) Relating to the eligibility of land to continue to be appraised for ad valorem tax purposes as qualified open-space land following a transfer to a surviving spouse or surviving child.

Adds Section 23.54(e-1), Tax Code.

Provides that a change of ownership does not end eligibility for appraisal as agricultural land if ownership of the land is transferred from the former owner to the surviving spouse of the former owner.

Proposed effective: 1-1-24.

Last Action: 5-24-23 G Sent to the Governor

[HB 2488](#) [Geren, Charlie\(R\)](#) [Alvarado, Carol\(D\)](#) Relating to the burden of proof in a trial de novo appeal of the appraised value of property.

Adds Section 42.23(i), Tax Code.

Provides that in an appeal of the determination of appraised value, the burden of proof is on the appraisal district to support an increase in the appraised value of property by clear and convincing evidence if the value of that property was lowered by a trial on the merits under Chapter 42 in the previous tax year.

Proposed effective: 9-1-23.

Last Action: 5-30-23 G Sent to the Governor

[HB 3207](#) [Murr, Andrew\(R\)](#) Relating to the composition of the agricultural advisory board of an appraisal district.

Amends Section 6.12, Tax Code.

Eliminates requirement that agricultural advisory board members have been residents of the appraisal district for at least five years.

Proposed effective: 9-1-23.

Last Action: 5-30-23 G Sent to the Governor

[HB 4559](#) [Darby, Drew\(R\)](#) [Huffman, Joan\(R\)](#) Relating to the application of statutes that classify political subdivisions according to population.

Amends Section 11.18(p), Tax Code.

States that the exemption under Sec. 11.18(d)(23) for organizations providing housing and related services to homeless individuals applies a county with a population of more than 1.2 million (rather than one million) to 1.5 million, or a municipality of more than 100,00 and less than 250,000, part of which is located in a county with a population of less than 5,500 (rather than 5,000).

Amends Section 11.1825, Tax Code.

Allows a taxing unit to change the amount of the exemption if the unit is located in a county with a population of at least 2.1 million (rather than 1.8 million). Taxing units have to approve the exemption if located in a county with a population of at least 2.1 million (rather than 1.8 million).

Proposed effective: 9-1-23.

Last Action: 5-22-23 G Sent to the Governor

[SB 348](#) [Springer, Drew\(R\)](#) [Meyer, Morgan\(R\)](#) Relating to the prohibition on posting on the Internet information held by an appraisal district regarding certain residential property.

Amends Section 25.027, Tax Code.

Expands exceptions to prohibition of posting appraisal record information on the Internet if that information is a photograph, sketch or floor plan of a residence. Authorizes aerial photographs of more than one separately owned building, street level photograph of only the exterior of a building, a record or overhead sketch showing the outline of buildings, general landscape features, and dimensions between buildings and features.

Proposed effective: Immediately on two-thirds vote of each house, otherwise 9-1-23.

Last Action: 5-23-23 G Sent to the Governor

[SB 361](#) [Eckhardt, Sarah\(D\)](#) [Shine, Hugh\(R\)](#) Relating to the eligibility of a person employed by a school district as a teacher to serve on the appraisal review board of an appraisal district.

Amends Section 6.412, Tax Code.

Authorizes a person employed by a school district as a teacher to serve on the appraisal review board, despite general prohibition of against "employee of a taxing unit."

Proposed effective: 9-1-23.

Last Action: 5-23-23 G Sent to the Governor

[SB 1191](#) [Zaffirini, Judith\(D\)](#) [Hefner, Cole\(R\)](#) Relating to late applications for the appraisal of land for ad valorem tax purposes as qualified open-space land following the death of the owner of the land.

Amends Section 23.541, Tax Code.

Allows for late application for appraisal as agricultural land if the land was appraised as agricultural land in the preceding tax year, the former owner died during the preceding tax year, the application is filed not later than the delinquency date for the year for which the application is filed, and the application is filed by the surviving spouse or surviving child of decedent, the executor or administrator of the estate of the decedent or a fiduciary acting on behalf of a surviving spouse or surviving child of the decedent. Excuses the late filing application penalty if this section applies.

Last Action: 5-23-23 G Earliest effective date

[SB 1801](#) [Springer, Drew\(R\)](#) [Darby, Drew\(R\)](#) Relating to a requirement that each appraisal district periodically confirm that recipients of residence homestead exemptions qualify for those exemptions.

Adds Section 11.43(h-1), Tax Code.

Requires chief appraiser of an appraisal district to develop a program for the periodic review of each residence homestead exemption granted by the district under Section 11.13 to confirm that the recipient of the exemption still qualifies for the exemption at least once every five tax years. Allows the program to provide for the review to take place in phases, with a portion of the exemptions reviewed in each tax year.

Last Action: 9- 1-23 G Earliest effective date

[SB 1916](#) [Parker, Tan \(F\)\(R\)](#) [Shine, Hugh\(R\)](#) Relating to publication of public improvement district service plans and assessments on certain public Internet websites.

Amends Sections 372.013, 372.016, 372.017, Local Government Code and 26.17, Tax Code.

Requires the governing body of a municipality that levies an assessment in a public improvement district to submit the assessment roll to the applicable appraisal district within seven days of levying the assessment and post a copy of the service plan on the

municipality's website where other tax rate and budget information is located within the same time frame.

Requires public improvement districts assessments to be included on each appraisal districts 26.17 tax rate database website.

Effective: 1-1-24.

Last Action: 5-29-23 G Sent to the Governor

[SB 2355](#) [Bettencourt, Paul\(R\)](#) [Noble, Candy\(R\)](#) Relating to the appeal of certain ad valorem tax determinations through binding arbitration.

Amends Section 41A.03, Tax Code.

Provides that a property owner desiring an appeal by binding arbitration files a request for arbitration with comptroller, rather than chief appraiser. Requires property owner filing arbitration request through an electronic system to make the arbitration deposit through that same system, otherwise it is paid by check or money order made out to comptroller.

Amends Sections 41A.04 and 41A.05 to reflect that the request for arbitration is filed with comptroller, rather than chief appraiser.

Amends Section 41A.08, Tax Code.

Requires property owner designation of agent to represent owner at arbitration to be made in writing on form prescribed by comptroller under Section 1.111. Requires agent to retain form and produce upon request of property owner, appraisal district, appraisal review board, the arbitrator, or the comptroller.

Amends Section 41A.11, Tax Code.

Provides that a settlement reached by parties to an arbitration is considered to be a final determination of an appeal under Subchapter C, Chapter 42.

Proposed effective: 1-1-24.

Last Action: 5-27-23 Signed by Governor

EXEMPTIONS

[HB 456](#) [Craddick, Tom\(R\)](#) [King, Phil \(F\)\(R\)](#) Relating to an exemption from ad valorem taxation of certain royalty interests owned by a charitable organization.

Amends Section 11.18, Tax Code.

Exempts from taxation royalty interests owned by a charitable organization. Senate Committee Substitute provides that the exemption only applies to charitable organizations described by Sections 11.18(d)(1), (2), (3)(A)(ii), (5), (8), (13), (15), or (19). Exempts a mineral in place, including a royalty interest, if the interest is not severed from the surface estate or the interest was donated to the organization by the previous owner of the interest.

Proposed effective: 1-1-24.

Last Action: 5-30-23 G Sent to the Governor

[HB 4077](#) [Noble, Candy\(R\)](#) [Eckhardt, Sarah\(D\)](#) Relating to the procedure for qualifying for an exemption from ad valorem taxation of the residence homestead of an elderly person.

Amends Section 11.43, Tax Code.

Provides that if a person is turning 65 in the next tax year, they will receive the over-65 exemption without applying, if the appraisal district has information in its records or receives information from the Texas Department of Public Safety which shows they qualify.

Proposed effective: 1-1-24.

Last Action: 5-24-23 G Sent to the Governor

[HB 4158](#) [Schofield, Mike\(R\)](#) [Bettencourt, Paul\(R\)](#) Relating to the determination and reporting of the number of residence homesteads of elderly or disabled persons that are subject to the limitation on the total amount of ad valorem taxes that may be imposed.

Amends Section 11.26, Tax Code.

Requires the chief appraiser to determine the number of residence homesteads subject to the tax ceiling for each school district and report that number to the comptroller.

Proposed effective: 1-1-24.

Last Action: 5-28-23 G Sent to the Governor

[HB 4559](#) [Darby, Drew\(R\)](#) [Huffman, Joan\(R\)](#) Relating to the application of statutes that classify political subdivisions according to population.

Amends Section 11.18(p), Tax Code.

States that the exemption under Sec. 11.18(d)(23) for organizations providing housing and related services to homeless individuals applies a county with a population of more than 1.2 million (rather than one million) to 1.5 million, or a municipality of more than 100,00 and less than 250,000, part of which is located in a county with a population of less than 5,500 (rather than 5,000).

Amends Section 11.1825, Tax Code.

Allows a taxing unit to change the amount of the exemption if the unit is located in a county with a population of at least 2.1 million (rather than 1.8 million). Taxing units have to approve the exemption if located in a county with a population of at least 2.1 million (rather than 1.8 million).

Proposed effective: 9-1-23.

Last Action: 5-22-23 G Sent to the Governor

[HB 4645](#) [Flores, Lulu \(F\)\(D\)](#) [Zaffirini, Judith\(D\)](#) Relating to the exemption from ad valorem taxation of certain property used to provide low-income or moderate-income housing.

Amends Section 11.1825, Tax Code.

Adds as an organization entitled to an exemption an organization that leases land for improvements that the organization constructs or rehabilitates to provide housing to persons meeting an income eligibility requirement.

Proposed effective: 1-1-24.

Last Action: 5-30-23 G Sent to the Governor

[SB 719](#) [Paxton, Angela\(R\)](#) [Thierry, Shawn\(D\)](#) Relating to an exemption from ad valorem taxation of property owned by a charitable organization that provides services related to the placement of a child in a foster or adoptive home.

Amends Section 11.18, Tax Code.

Allows an exemption for property owned by a charitable organization that provides services related to planning for the placement of or placing children in foster or adoptive homes or providing support or relief to women who are or may be pregnant and who are considering placing their unborn children for adoption.

Amends various sections of the Tax Code changing references to "handicapped" to "persons with disabilities."

Proposed effective: 1-1-24.

Last Action: 5-29-23 G Sent to the Governor

[SB 1145](#) [West, Royce\(D\)](#) [Talarico, James\(D\)](#) Relating to an exemption from ad valorem taxation of real property used to operate a child-care facility.

Adds Sec. 11.36, Tax Code.

Allows an exemption for real property a person owns and operates as a qualifying child-care facility. The use of the property for other functions does not result in the loss of the exemption if the other functions are incidental to the use of the child-care services.

Last Action: Effective January 1, 2024, on adoption of SJR 64 on November 7, 2023

[SB 1381](#) [Eckhardt, Sarah\(D\)](#) [Hefner, Cole\(R\)](#) Relating to the eligibility of the surviving spouse of an elderly person who qualified for a local option exemption from ad valorem taxation by a taxing unit of a portion of the appraised value.

Amends Section 11.43, Tax Code.

Requires that the application form for Section 11.13 include the date of birth of the applicant's spouse. Adds Section 11.43(m-2). The surviving spouse is entitled to the exemption without applying if the appraisal district learns of the spouse's death and the surviving spouse is otherwise entitled to receive the exemption as shown by information in the appraisal district records or information provided by the Texas Department of Public Safety.

Last Action: 1- 1-24 G Earliest effective date

[SB 1439](#) [Springer, Drew\(R\)](#) [Hefner, Cole\(R\)](#) Relating to the ad valorem taxation of tangible personal property held or used for the production of income by related business entities.

Amends 11.145, Tax Code.

States that the exemption of \$2,500 for tangible personal property will apply to related business entities that compose a unified business enterprise.

Proposed effective: 1-1-24.

Last Action: 5-23-23 G Sent to the Governor

[SB 2289](#) [Huffman, Joan\(R\)](#) [Bonnen, Greg\(R\)](#) Relating to the exemption from ad valorem taxation of certain tangible personal property held by a manufacturer of medical or biomedical products as a finished good or used in manufacturing or processing.

Adds Section 11.36, Tax Code.

Allows an exemption for medical or biomedical property a person owns or leases located in a medical or biomedical manufacturing facility.

Last Action: 1- 1-24 G Earliest effective date

[SJR 64](#) [West, Royce\(D\)](#) [Talarico, James\(D\)](#) Proposing a constitutional amendment authorizing the legislature to exempt from ad valorem taxation real property used to operate a child-care facility.

Proposed an amendment to Article VIII, Texas Constitution to allow the legislature to exempt real property used to operate a child-care facility.

See SB 1145.

Last Action: 11- 7-23 G Election date

[SJR 87](#) [Huffman, Joan\(R\)](#) [Bonnen, Greg\(R\)](#) Proposing a constitutional amendment to authorize the legislature to exempt from ad valorem taxation certain tangible personal property held by a manufacturer of medical or biomedical products.

Proposes amendment to Article VIII of the Texas Constitution, allowing the legislature to exempt personal property held by a manufacturer of medical or biomedical products as a finished good or used in the manufacturing.

Last Action: 11- 7-23 G Election date

TRUTH IN TAXATION

[HB 3273](#) [Thierry, Shawn\(D\)](#) [Bettencourt, Paul\(R\)](#) Relating to public notice of the availability on the Internet of property-tax-related information.

Amends Sections 25.19, 26.04, 26.05, 26.17, 41.46, Tax Code.

Requires the following statement be included in bold typeface in multiple locations:

"Visit Texas.gov/PropertyTaxes to find a link to your local property tax database on which you can easily access information regarding your property taxes, including information regarding the amount of taxes that each entity that taxes your property will impose if the entity adopts its proposed tax rate. Your local property tax database will be updated regularly during August and September as local elected officials propose and adopt the property tax rates that will determine how much you pay in property taxes."

The notice must also include contact information for the assessor who assesses taxes for a taxing unit and instructions describing how a property owner may register on an appraisal district's website to have notifications regarding updates to the 26.17 property tax database delivered to the owner by email.

The statement must be included in each Notice of Appraised Value.

If an appraisal district maintains an internet website, the statement must be posted prominently on the website.

The assessor for each taxing unit must post the statement prominently on the website of each taxing unit.

By August 7 or as soon thereafter as practicable, the Chief Appraiser must publish the statement in a newspaper of general circulation in the county, or if there is no newspaper in the county, post the statement at the appraisal district. This effectively dispenses with the August 7 postcards appraisal districts have been required to mail regarding the 26.17 property tax database.

A taxing unit other than a school district may not hold a public hearing on a tax rate or adopt a tax rate until the fifth day after the notice is published or posted. The chief appraisal shall deliver the notice by email to those property owners who register to receive the notice by email.

The notice must also be included in ARB hearing notices.

The changes apply to a tax year that begins on or after the effective date of the act.

Proposed effective 1-1-24.

Last Action: 5-22-23 G Sent to the Governor

[HB 4456](#) [Harris, Cody\(R\)](#) [Bettencourt, Paul\(R\)](#) Relating to the calculation of the no-new-revenue maintenance and operations rate for school districts.

Amends Sections 5.07, 26.012, 26.05, Tax Code.

Defines "no-new-revenue maintenance and operations rate" for a school district as the district's "rate to maintain."

For a school district, a vote on the resolution or order setting a tax rate in excess of the rate to maintain must be a record vote and at least 60% of the members of the governing body must vote in favor of the ordinance or resolution.

Proposed effective: 1-1-24.

Last Action: 5-30-23 G Sent to the Governor

[SB 1340](#) [Zaffirini, Judith\(D\)](#) [Meyer, Morgan\(R\)](#) Relating to the local development agreement database maintained by the comptroller of public accounts.

Amends Section 403.0246, Government Code and adds 312.008, Tax Code.

Section 312 of the Property Tax Code deals with tax abatement agreements for taxing units. This bill requires taxing units to update the state comptroller's online database for details on the tax abatement agreements including the total monetary value of the agreement, type of tax implicated by the agreement including ad valorem tax like the reporting process required by the economic development agreements for cities and counties. The Property Tax Code already requires taxing units to report the details of these agreements to the state comptroller; however, the bill adds section to the Tax Code requiring taxing units to make available on their websites a link to the details of those agreements to be made available on the comptroller's publicly available, online searchable database (similar to the requirements made for truth in taxation reporting).

Last Action: 1- 1-24 G Earliest effective date

[SB 1916](#) [Parker, Tan \(F\)\(R\)](#) [Shine, Hugh\(R\)](#) Relating to publication of public improvement district service plans and assessments on certain public Internet websites.

Amends Sections 372.013, 372.016, 372.017, Local Government Code and 26.17, Tax Code.

Requires the governing body of a municipality that levies an assessment in a public improvement district to submit the assessment roll to the applicable appraisal district within seven days of levying the assessment and post a copy of the service plan on the

municipality's website where other tax rate and budget information is located within the same time frame.

Requires public improvement districts assessments to be included on each appraisal districts 26.17 tax rate database website.

Proposed effective: 1-1-24.

Last Action: 5-29-23 G Sent to the Governor

[SB 1998](#) [Bettencourt, Paul\(R\)](#) [Shine, Hugh\(R\)](#) Relating to the calculation of certain ad valorem tax rates.

Amends Section 5.07, Tax, Code.

Requires the Comptroller to include the within the Truth in Taxation Worksheets the ability to set a hyperlink into the worksheet document that will attest to the accuracy of each of the numbers entered into the worksheet that are not just a mathematical calculation.

Amends Section 26.04(d-1), Tax Code.

Requires the designated officer or employee to include the hyperlinks for each entry on the form that are not just a mathematical calculation.

Amends Section 26.03, Tax Code.

Requires specific tax rate calculations for individual investment zones rather than collective adjustments.

Proposed effective 1-1-24.

Last Action: 5-29-23 G Sent to the Governor

[SB 1999](#) [Bettencourt, Paul\(R\)](#) [Hefner, Cole\(R\)](#) Relating to the calculation of the unused increment rate of a taxing unit.

Amends Section 26.013, Tax Code.

Changes the definition and calculation of the unused increment rate.

Proposed effective 1-1-24.

Last Action: 5-29-23 G Sent to the Governor

[SB 2350](#) [Bettencourt, Paul\(R\)](#) [Shine, Hugh\(R\)](#) Relating to the voter-approval tax rate used to calculate the unused increment rate of a taxing unit for ad valorem tax purposes.

Amends Section 26.013, Tax Code.

Redefines, for purposes of calculating the unused increment rate, "Voter-approval tax rate" to mean the taxing unit's voter-approval tax rate in the applicable preceding tax year, as

adopted by the taxing unit during the applicable preceding tax year, less the unused increment rate for the preceding year.

Effective upon signature by the Governor.

Last Action: 5-29-23 G Sent to the Governor

LOCAL GOVERNMENT ADMINISTRATION

[HB 784](#) [Ordaz, Claudia \(F\)\(D\)](#)[Blanco, Cesar\(D\)](#) Relating to the delegation of certain authority of a county judge or commissioners court in certain counties.

Amends Section 81.029, Local Government Code.

Allows the county judge in El Paso County to file an order with the commissioner's court delegating the ability to sign orders, standing orders of emergency delegation, or other official documents associated with the county judge's office to a county commissioner, chief administrator or another county officer or employee. The delegating order must specify the types of orders or official documents that can be signed by a delegate and may be revoked at any time by the county judge by filing an order with the commissioner's court.

The legislation also grants the same delegation of managerial authority for the commissioner's court to a county administrator.

Proposed effective: 9-1-23.

Last Action: 5-30-23 G Sent to the Governor

[HB 1382](#) [Hernandez, Ana\(D\)](#) [Bettencourt, Paul\(R\)](#) Relating to the public sale of real property taken in execution of a judgment.

Amends Section 34.041, Civil Practice and Remedies Code.

Authorizes by commissioner court official action, the use of online auctions for the public sale of real property. This amendment is consistent with the Tax Code Section 34.01(a-1) previously passed by the Legislature.

The amendment will not apply to the sale of real property under a contract lien (such as a deed of trust, mortgage or other contract lien) conducted under Section 51.002 of the Property Code.

Last Action: 9- 1-23 G Earliest effective date

[HB 1689](#) [Murr, Andrew\(R\)](#) [Flores, Pete\(R\)](#) Relating to the use of county hotel occupancy tax revenue for an electronic tax administration system and the reimbursement of tax collection expenses.

Adds 352.016 and amends Section 352.005, Tax Code.

Allows a county and its tax collector to withhold not more than one (1) percent of the amount of the hotel occupancy tax collected as reimbursement for the creation,

maintenance, operation, and administration of an electronic hotel occupancy tax administration system. The county may spend not more than the lesser of two (2) percent or \$75,000 of the hotel occupancy tax derived and cannot use the revenue to conduct an audit. The amendment allows a county to contract with a third party to assist in the creation and maintenance of the electronic tax administration system.

Proposed effective: Immediately on two-thirds vote of each house, otherwise 9-1-23.

Last Action: 5-22-23 G Sent to the Governor

[HB 4082](#) [Goldman, Craig\(R\)](#)[Bettencourt, Paul\(R\)](#) Relating to purposes for which certificates of obligation or tax anticipation notes may be authorized.

Adds 271.043 (7-a), Local Government Code and 1431.001(6) Government Code.

Adds a definition for “public work” to the respective Code chapters related to issuing local government bonds for the construction of any public work where it was previously undefined. The proposed definition includes a broad list of specific public improvements for issuance of bonds including the rehabilitation, expansion, reconstruction or maintenance of an existing sports facilities created to act on behalf of a municipality or county.

Prohibits issuance of bonds to build new facilities which more than 50 percent of the average annual usage is intended for professional or semi-professional sports, a new stadium facility intended to be leased by a single for-profit tenant for more than 180 days in a single calendar year or a hotel.

Proposed effective: 9-1-23.

Last Action: 5-26-23 G Sent to the Governor

[SB 1340](#) [Zaffirini, Judith\(D\)](#) [Meyer, Morgan\(R\)](#) Relating to the local development agreement database maintained by the comptroller of public accounts.

Amends Section 403.0246, Government Code and adds 312.008, Tax Code.

Section 312 of the Property Tax Code deals with tax abatement agreements for taxing units. The statute, as amended, requires taxing units to update the state comptroller’s online database for details on the tax abatement agreements including the total monetary value of the agreement, type of tax implicated by the agreement including ad valorem tax like the reporting process required by the economic development agreements for cities and counties. The Property Tax Code already requires taxing units to report the details of these agreements to the state comptroller; however, the legislation adds section to the Tax Code requiring taxing units to make available on their websites a link to the details of those agreements to be made available on the comptroller’s publicly available, online searchable database (similar to the requirements made for truth in taxation reporting).

Last Action: 1- 1-24 G Earliest effective date

[SB 1568](#) [Campbell, Donna\(R\)](#) [Shaheen, Matt\(R\)](#) Relating to the persons authorized or appointed to exercise the power of sale under the terms of a contract lien on real property.

Amends Sections 51.0001(7) and (8), Property Code.

Expands the definitions of substitute trustee and trustee in the Property Code provisions generally applicable to liens from a person to individuals, corporations, organizations, government or governmental subdivision or agency, business trust, estate, trust, partnership, association, or other legal entity.

Last Action: 5-29-23 G Sent to the Governor

OPEN MEETINGS/OPEN RECORDS

[HB 796](#) [Button, Angie Chen\(R\)](#) [Bettencourt, Paul\(R\)](#) Relating to the creation and maintenance by an appraisal district of a publicly available Internet database of information regarding protest hearings conducted by the appraisal review board established for the district.

Amends Section 26.17(c), Tax Code.

Requires appraisal district website to include link to the Internet database required under Section 41.13, as added by this bill.

Adds Section 41.13, Tax Code.

Requires a chief appraiser to create and maintain a publicly available and searchable Internet database with information on protest hearings conducted by the appraisal review board (ARB), including attendees, date and time of the hearing, the account number and category for the property, the appraised value according to the appraisal district and the property owner's asserted value, and the ARB's determination. Requires chief appraiser to update the database not later than October 1 of each year. Requires chief appraiser to update the database beginning January 1, 2025, to include the most recent tax year and each subsequent year until the database includes the most recent five tax years. Requires, beginning January 1, 2030, for the database to include the information for the previous five tax years.

Last Action: 1- 1-24 G Earliest effective date

[HB 1911](#) [Burrows, Dustin\(R\)](#) [Perry, Charles\(R\)](#) Relating to the confidentiality of home address information in ad valorem tax appraisal records of a current or former employee or contract staff member of a university health care provider at certain correctional facilities.

Amends Section 25.025(a), Tax Code.

Adds (1) current or former employees or contract staff members of a university health care provider at a corrections facility operated by the TDCJ or TJJD; and (2) current or former attorneys for the Department of Family and Protective Services to the list of eligible individuals whose home address can be made confidential in ad valorem tax appraisal records.

Proposed effective: Immediately on two-thirds vote of each house, otherwise, 9-1-23.

Last Action: 5-24-23 G Sent to the Governor

[SB 617](#) [Blanco, Cesar\(D\)](#) [Gonzalez, Mary\(D\)](#) Relating to the confidentiality of certain home address information in ad valorem tax appraisal records.

Amends Section 25.025(a), Tax Code.

Adds customs and border protection officers and patrol agents and their spouse, surviving spouse, or adult children to the list of property owners who may make their home address confidential in public appraisal records.

Last Action: 5-19-23 G Earliest effective date

[SB 943](#) [Kolkhorst, Lois\(R\)](#) [Hunter, Todd\(R\)](#) Relating to the publication of notices by a governmental entity on the Internet websites of a newspaper and Texas Press Association.

Adds Section 2051.054, Government Code.

Requires a newspaper that is publishing a notice on behalf of a governmental entity to also publish the notice, at no additional cost, on its website in a place that is clearly designated for notices and is accessible to the public at no cost. If the Texas Press Association maintains a website as a statewide repository of notices, then the newspaper must also deliver the notice to the Texas Press Association to be published on the Association's website. The Association's website must be accessible to the public at no cost, be updated as notices are received, and be searchable/sortable by subject matter and location. The Association's website must also offer subscriptions to email notifications that can be filtered by subject matter and location. The validity of a notice published in a newspaper is not affected by an error or technical issue that may occur on the Internet notice.

Last Action: 9- 1-23 G Earliest effective date

[SB 1525](#) [Blanco, Cesar\(D\)](#) [Rose, Toni\(D\)](#) Relating to the confidentiality of certain home address information in property tax appraisal records.

Amends Section 25.025(a), Tax Code.

Adds a current or former attorney for the Department of Family and Protective Services to the list of individuals who may make their home address information confidential on property tax appraisal records.

Proposed effective: Immediately on two-thirds vote of each house, otherwise, 9-1-23.

Last Action: 5-29-23 G Sent to the Governor

MISCELLANEOUS

[HB 219](#) [Noble, Candy\(R\)](#) [Johnson, Nathan\(D\)](#) Relating to the release of a deed of trust or other contract lien securing a home loan after payoff by mortgagor.

Adds Section 343.108, Finance Code.

Requires a mortgage servicer or mortgagee to deliver a release of lien to the mortgagor within 60 days of receiving pay-off or file the release of lien with the appropriate county

clerk's office for recording in the real property records. Requires the mortgage servicer or mortgagee to provide the release of lien or file the release of lien with the appropriate county clerk's office within 30 days of receipt of a written request made by a mortgagor within 20 days of the pay-off. A mortgage servicer is required to comply with this section only if the mortgage servicer has the authority to deliver or file a release of lien for the home loan.

Last Action: 9- 1-23 G Earliest effective date

[HB 1817](#) [Capriglione, Giovanni\(R\)](#) [Hancock, Kelly\(R\)](#) Relating to the validity of a contract for which a disclosure of interested parties is required.

Amends Section 2252.908, Government Code.

Provides that a contract under Section 2252.908, Government Code, entered into by a governmental entity or state agency is voidable for failure to provide the disclosure of interested parties as required by this section, only if the governmental entity or state agency provides written notice to the business entity notifying them of the failure to provide the required notice, and the business entity fails to submit the required disclosure on or before the 10th business day after the day the business entity receives the notice.

Effective immediately.

Last Action: 5-24-23 G Sent to the Governor

[HB 2285](#) [Noble, Candy\(R\)](#) [Paxton, Angela\(R\)](#) Relating to the authority of certain independent school districts to change the terms for members of the districts' board of trustees.

Adds Section 11.059(e)-(g), Education Code.

Allows a board of trustees of an independent school district to adopt a resolution changing the length of the terms of its trustees. The resolution must be adopted not later than December 31, 2023 and provide for staggered terms of either three or four years and specify the manner in which the transition from the length of the former term to the modified term is made. The transition must begin with the first regular election for trustees that occurs after the resolution is adopted, and a trustee who serves on the date the resolution is adopted must serve the remainder of that term. Such a resolution may only be adopted by a board of trustees with a central administrative office located in a county with a population of more than 1 million but less than 1.25 million and in which a municipality with a population of 4,500 or less is located. These added Subsections expire January 1, 2029.

Effective immediately.

Last Action: 5-28-23 G Sent to the Governor