

- SUBJECT:** Repealing judicial preference for licensed appraisers in appraisal appeal
- COMMITTEE:** Ways and Means — favorable, without amendment
- VOTE:** 8 ayes — Burrows, Guillen, Bohac, Murphy, Noble, E. Rodriguez, Shaheen, Wray
- 0 nays
- 3 absent — Cole, Martinez Fischer, Sanford
- SENATE VOTE:** On final passage, March 26 — 31-0
- WITNESSES:** *On House companion bill, HB 2220:*
For — Michael Henry, Ryan, LLC; (*Registered, but did not testify:* Matt Grabner, Ryan, LLC; Galt Graydon, Citizens for Appraisal Reform; Ray Head, Texas Association of Property Tax Professionals; Ned Munoz; Texas Association of Builders; Julia Parenteau, Texas Realtors; James Popp, Popp Hutcheson)
- Against — None
- BACKGROUND:** The Legislature enacted SB 1760 by Creighton in 2015, which established Tax Code sec. 42.23(i), effective January 1, 2020.
- The statute states that if an appraisal district employee testifies as to the value of real property in an appeal for excessive or unequal appraisal, the court may give preference to an employee who is certified or licensed to perform real estate appraisals.
- DIGEST:** SB 449 would repeal Tax Code sec. 42.23(i), which allows a court to give preference to an appraisal district employee licensed to perform real estate appraisals in an appraisal appeal.
- The bill would take effect September 1, 2019.

**SUPPORTERS
SAY:**

SB 449 would repeal a statute that could be unfriendly to taxpayers if it goes into effect in 2020. If left intact, the statute will give judicial preference to the testimony of appraisal district employees over property owners in an appraisal appeal case, which is unfair and puts taxpayers at a disadvantage during court proceedings.

Taxpayers are required to hire licensed or certified appraisers to testify in district courts for an appraisal appeal, but appraisal district employees may testify without that license. Rather than leveling the playing field by requiring both parties to have licensed representation, this statute will have the unintended consequence of making the system even more disadvantageous for property taxpayers. The bill would keep that system at the status quo.

This bill would not give more weight to the testimony of a taxpayer or taxpayer agent but would ensure greater parity between the parties by removing judicial preference for the testimony of one over the other.

**OPPONENTS
SAY:**

If the Legislature were to repeal court preference for appraisal district employees licensed to perform real estate appraisals, it may be best to ensure parity between appraisal districts and property owners in appeals cases so that the value of district employee testimony was not reduced.