

BILL ANALYSIS

Senate Research Center

S.B. 1215
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Finance
4/16/2015
As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

S.B. 1215 moves all the functions of the comptroller of public accounts of the State of Texas (comptroller) Property Tax Assistance Division (PTAD) from the comptroller's office into a separate entity, the State Property Tax Board (board). The board will be overseen by a seven-member board appointed by the governor and confirmed by the Senate. At least two of the appointees must be registered property tax professionals or elected County Tax Assessor Collectors.

From 1979 to 1992, the original State Property Tax Board provided oversight for and information about the property tax system in Texas, including performing the Property Value Study each year. In 1992 that board was abolished and its functions were assumed by the comptroller's office. Since that time, the comptroller's Property Tax Assistance Division has added additional functions, including training Appraisal Review Board members, providing oversight of Appraisal District operations through the Methods and Assistance Program (MAP), and providing data to the public about property tax rates and property tax revenues for local taxing units statewide.

In its current position, PTAD is one of a myriad of important functions performed by the comptroller's office and is unusual in that it is concerned with a tax collected solely at the local level. Reestablishing the State Property Tax Board as a standalone agency will allow the agency to focus more closely upon training needed by practitioners in the field, exercise oversight needed to protect taxpayers and ensure local governments are adequately funded, and provide transparent, timely, and reliable data to the public about property tax rates and levies.

As proposed, S.B. 1215 amends current law relating to abolishing the property tax assistance division of the office of the comptroller of public accounts of the State of Texas and transferring its powers and duties to the newly created State Property Tax Board.

RULEMAKING AUTHORITY

Rulemaking authority previously granted to the comptroller of public accounts of the State of Texas is transferred to the State Property Tax Board in SECTION 1.03 (Section 5.03, Tax Code), SECTION 1.07 (Section 5.102, Tax Code), SECTION 1.07 (Section 5.13, Tax Code), SECTION 1.08 (Section 5.23, Tax Code), SECTION 1.08 (Section 5.24, Tax Code), SECTION 2.01 (Section 1.085, Tax Code), SECTION 2.02 (Section 1.111, Tax Code), SECTION 2.08 (Section 11.135, Tax Code), SECTION 2.13 (Section 11.44, Tax Code), SECTION 2.15 (Section 21.03, Tax Code), SECTION 2.16 (Section 21.031, Tax Code), SECTION 2.29 (Section 23.1241, Tax Code), SECTION 2.31 (Section 23.1242, Tax Code), SECTION 2.35 (Section 23.127, Tax Code), SECTION 2.37 (Section 23.128, Tax Code), SECTION 2.38 (Section 23.175, Tax Code), SECTION 2.39 (Section 23.41, Tax Code), SECTION 2.42 (Section 23.52, Tax Code), SECTION 2.43 (Section 23.521, Tax Code), SECTION 2.45 (Section 23.73, Tax Code), SECTION 2.47 (Section 23.83, Tax Code), SECTION 2.49 (Section 23.93, Tax Code), SECTION 2.53 (Section 24.34, Tax Code), SECTION 2.63 (Section 25.03, Tax Code), SECTION 2.66 (Section 25.23, Tax Code), SECTION 2.68 (Section 26.16, Tax Code), SECTION 2.70 (Section 31.11, Tax Code), SECTION 2.78 (Section 41.70, Tax Code), SECTION 2.80 (Section 41A.04, Tax Code), SECTION 2.85 (Section 41A.09, Tax Code), SECTION 2.88 (Section 41A.13, Tax Code),

SECTION 2.99 (Section 43.01, Tax Code), SECTION 2.120 (Section 313.031, Tax Code), SECTION 2.147 (Section 1151.202, Occupations Code), and SECTION 3.01 of this bill.

Rulemaking authority previously granted to the comptroller of public accounts of the State of Texas is modified and transferred to the State Property Tax Board in SECTION 1.06 (Section 5.05, Tax Code) of this bill.

SECTION BY SECTION ANALYSIS

ARTICLE 1. ESTABLISHING THE STATE PROPERTY TAX BOARD

SECTION 1.01. Amends Chapter 5, Tax Code, by designating Sections 5.03 through 5.16 as Subchapter A and adding a subchapter heading to read as follows:

SUBCHAPTER A. STATE PROPERTY TAX BOARD

SECTION 1.02. Amends Subchapter A, Chapter 5, Tax Code, as added by this Act, by adding Sections 5.01, 5.02, 5.021, 5.022, and 5.023, as follows:

Sec. 5.01. DEFINITION. Defines "board" in this chapter.

Sec. 5.02. STATE PROPERTY TAX BOARD. (a) Provides that the State Property Tax Board (board) is established. Provides that the board consists of seven members appointed by the governor with the advice and consent of the senate. Requires the governor, in making the appointments, to the extent practicable, to select persons so that each geographical area of the state is represented. Provides that a vacancy on the board is filled in the same manner for the unexpired portion of the term.

(b) Provides that members of the board hold office for terms of six years, with the terms of two or three members expiring on March 1 of each odd-numbered year.

(c) Requires a person to have been a resident of this state for at least 10 years to be eligible to serve on the board.

(d) Requires at least two members to be either registered with the Texas Department of Licensing and Regulation under Chapter 1151 (Property Tax Professionals) or 1152 (Property Tax Consultants), Occupations Code, or an elected county assessor-collector.

(e) Provides that a majority of the board constitutes a quorum.

(f) Requires the governor to designate one of the members of the board to serve as chair for a term, in that capacity, of two years expiring on March 1 of each odd-numbered year.

(g) Requires the board to maintain a principal office in Austin.

(h) Requires the board to meet at least once in each calendar quarter and authorizes the board to meet at other times at the call of the chair or as provided by the rules of the board.

(i) Prohibits a member of the board from receiving compensation for service on the board but provides that a member is entitled to reimbursement for actual and necessary expenses, as provided by legislative appropriation, incurred while on travel status in the performance of official duties.

Sec. 5.021. BOARD PERSONNEL. (a) Requires the board to employ an executive director who is required to administer board operations as directed by the board.

(b) Authorizes the executive director to employ professional, clerical, and other personnel to assist in administering board operations.

Sec. 5.022. GROUND FOR REMOVAL OF BOARD MEMBERS. (a) Provides that it is a ground for removal from the board if a member:

(1) does not have at the time of appointment the qualifications required under Section 5.02;

(2) does not maintain during service on the board the qualifications and other eligibility conditions required by Section 5.02;

(3) violates a prohibition described by Section 5.023;

(4) cannot discharge the member's duties for a substantial part of the term for which the member is appointed because of illness or disability; or

(5) is absent from more than half of the regularly scheduled board meetings that the member is eligible to attend during a calendar year unless the absence is excused by a majority vote of the board.

(b) Provides that the validity of an action of the board is not affected by the fact that it is taken when a ground for removal of a board member exists.

(c) Requires the executive director, if the executive director has knowledge that a potential ground for removal exists, to notify the chair of the ground. Requires the chair to then notify the governor that a potential ground for removal exists. Requires the executive director, if the member about which the executive director has knowledge that a potential ground for removal exists is the chair, to notify two other board members of the ground, and those members are required to then notify the governor that a potential ground for removal exists.

Sec. 5.023. RESTRICTIONS ON BOARD MEMBERSHIP AND EMPLOYMENT. (a) Prohibits an officer, employee, or paid consultant of a Texas trade association in the field of property taxation from being a member of the board or an employee of the board who is exempt from the state's position classification plan or is compensated at or above the amount prescribed by the General Appropriations Act for step 1, salary group 17, of the position classification salary schedule.

(b) Prohibits a person who is the spouse of an officer, manager, or paid consultant of a Texas trade association in the field of property taxation from being a member of the board or be an employee of the board who is exempt from the state's position classification plan or is compensated at or above the amount prescribed by the General Appropriations Act for step 1, salary group 17, of the position classification salary schedule.

(c) Prohibits a person from serving as a member of the board or acting as the general counsel to the board if the person is required to register as a lobbyist under Chapter 305 (Registration of Lobbyists), Government Code, because of the person's activities for compensation on behalf of a profession related to the operation of the board.

(d) Defines "Texas trade association" in this section.

SECTION 1.03. Amends Section 5.03, Tax Code, as follows:

Sec. 5.03. POWERS AND DUTIES GENERALLY. (a) Requires the board, rather than the comptroller of public accounts of the State of Texas (comptroller), to adopt rules establishing minimum standards for the administration and operation of an appraisal

district. Authorizes the minimum standards to vary according to the number of parcels and the kinds of property the district is responsible for appraising.

(b) and (c) Changes references to comptroller to board.

SECTION 1.04. Amends Section 5.04(a), Tax Code, to change references to comptroller to board.

SECTION 1.05. Amends Sections 5.041(a), (b), (b-1), (c), (d), (e-1), (e-2), (e-3), and (f), Tax Code, as follows:

(a) Changes a reference to comptroller to board.

(b) Requires a member of the appraisal review board established for an appraisal district to complete the course established under Subsection (a). Prohibits a member of the appraisal review board from participating in a hearing conducted by the appraisal review board unless the person has completed the course established under Subsection (a) and received a certificate of course completion.

(b-1) and (c) Changes references to comptroller to board.

(d) Provides that the course material for the course required under Subsection (a) is the State Property Tax Board's Appraisal Review Board Manual, rather than the comptroller's Appraisal Review Board Manual in use on the effective date of this section. Makes conforming changes.

(e-1) Changes a reference to comptroller to board.

(e-2) Prohibits a person from participating in a hearing conducted by the appraisal review board, vote on a determination of a protest, or be reappointed to an additional term on the appraisal review board until the person has completed the course established under Subsection (e-1) and has received a certificate of course completion. Makes no further changes to this subsection.

(e-3) Changes references to comptroller to board.

(f) Makes conforming and nonsubstantive changes.

SECTION 1.06. Amends Sections 5.05(a), (b), and (c), Tax Code, as follows:

(a) Authorizes the board, rather than the comptroller, to prepare and issue publications relating to the appraisal of property and the administration of taxes, or to approve other publications relating to those matters, including materials published by The Appraisal Foundation, the International Association of Assessing Officers, or other professionally recognized organizations, for use in the administration of property taxes, including:

(1) and (2) Makes no changes to these subdivisions;

(3) cost, price, and depreciation schedules as authorized by law, with provision for inserting local market index factors and with a standard procedure for determining local market index factors;

(4) Makes no change to this subdivision;

(5) annotated digests of all laws relating to property taxation, rather than an annotated version of this title and Title 3; and

(6) a handbook of all rules promulgated by the board, rather than a handbook containing selected laws and all rules promulgated by the comptroller, relating to the property tax and its administration.

(b) and (c) Makes conforming changes.

SECTION 1.07. Amends Sections 5.06, 5.07, 5.08, 5.09, 5.10, 5.102, 5.103, 5.12, 5.13, 5.14, and 5.16, Tax Code, as follows:

Sec. 5.06. EXPLANATION OF TAXPAYER REMEDIES. Makes conforming changes.

Sec. 5.07. PROPERTY TAX FORMS AND RECORDS SYSTEMS. (a) and (b) Makes conforming changes.

(c) Requires the board to also prescribe a uniform record system to be used by all appraisal districts for the purpose of submitting data to be used in the studies required by Sections 5.10 (Ratio Studies) and 5.23, rather than required by Section 5.10 of this code and by Section 403.302 (Determination of School District Property Values), Government Code. Makes conforming changes.

Sec. 5.08. PROFESSIONAL AND TECHNICAL ASSISTANCE. (a) and (b) Makes conforming changes.

Sec. 5.09. BIENNIAL REPORTS. (a) Requires the board to prepare a biennial report of its operations and the operations of the appraisal districts of this state. Require that the report include the total appraised values and taxable values of taxable property by category and the tax rates of each county, municipality, and school district in effect for the two years preceding the year in which the report is prepared. Makes a conforming change.

(b) Makes conforming changes.

Sec. 5.10. RATIO STUDIES. (a) Makes conforming changes. Changes a reference to Section 403.302, Government Code, to Section 5.23.

(b) and (c) Makes conforming changes.

Sec. 5.102. REVIEW OF APPRAISAL DISTRICTS. (a)-(c) Makes conforming changes.

(d) Requires the board, if the appraisal district fails to comply with the recommendations in the report and the board finds that the board of directors of the appraisal district failed to take remedial action reasonably designed to ensure substantial compliance with each recommendation in the report before the first anniversary of the date the report was issued, to notify the Texas Department of Licensing and Regulation (TDLR), rather than the Board of Tax Professional Examiners or a successor to the board, to take action necessary to ensure that the recommendations in the report are implemented as soon as practicable. Makes conforming changes.

(e) Requires TDLR, before February 1 of the year following the year in which TDLR takes action under Subsection (d), and with the assistance of the board, to determine whether the recommendations in the most recent report have been substantially implemented. Requires the executive director of TDLR, rather than the presiding officer of the board, to notify the chief appraiser and the board of directors of the appraisal district in writing of the department's determination. Makes conforming changes.

(f) Defines "department" to mean the Texas Department of Licensing and Regulation in this section.

Sec. 5.103. APPRAISAL REVIEW BOARD OVERSIGHT. (a) Makes conforming changes.

(b) Makes no changes to this subdivision.

(c)-(f) Makes conforming changes.

Sec. 5.12. PERFORMANCE AUDIT OF APPRAISAL DISTRICT. (a)-(e) Makes conforming changes.

(f) Redefines "class of property" for purposes of this section.

(h) Makes conforming changes.

Sec. 5.13. ADMINISTRATION OF PERFORMANCE AUDITS. (a)-(e) Makes conforming changes.

(f)-(h) Makes conforming and nonsubstantive changes.

(i) Makes a conforming change.

Sec. 5.14. PUBLIC ACCESS, INFORMATION, AND COMPLAINTS. (a)-(e) Makes conforming changes.

Sec. 5.16. ADMINISTRATIVE PROVISIONS. (a) Makes conforming and nonsubstantive changes.

(b) Makes conforming changes.

SECTION 1.08. Transfers Subchapter M, Chapter 403, Government Code, to Chapter 5, Tax Code, redesignates it as Subchapter B, and amends it as follows:

New heading: SUBCHAPTER B. STUDY OF SCHOOL DISTRICT PROPERTY VALUES

Sec. 5.21. PURPOSE. Redesignates existing Section 403.301, Government Code, as Section 5.21, Tax Code. Makes no further changes to this section.

Sec. 5.22. DEFINITIONS. Redesignates existing Section 403.3011, Government Code, as Section 5.22, Tax Code. Makes conforming and nonsubstantive changes.

Sec. 5.23. DETERMINATION OF SCHOOL DISTRICT PROPERTY VALUES. Redesignates existing Section 403.302, Government Code, as Section 5.23, Tax Code.

(a)-(e-1) Makes conforming and nonsubstantive changes.

(f) Makes no change to this subsection.

(g)-(l) Makes conforming and nonsubstantive changes.

(m) Provides that Subsection (d)(9) does not apply to property that was the subject of an application under Subchapter B (Limitation on Appraised Value of Certain Property Used to Create Jobs) or C (Limitation on Appraised value of Property in Strategic Investment Area or Certain Rural School Districts), Chapter 313 (Texas Economic Development Act), made after May 1, 2009, that the board or comptroller, as applicable, recommended should be disapproved.

(m-1) Changes references to comptroller to board chair.

(n)-(o) Makes conforming changes.

Sec. 5.24. PROTEST. Redesignates existing Section 403.303, Government Code as Section 5.24, Tax Code. (a)-(e) Makes conforming and nonsubstantive changes.

Sec. 5.25. New heading: COOPERATION WITH BOARD; CONFIDENTIALITY. Redesignates existing Section 403.304, Government Code as Section 5.25, Tax Code. (a)-(b) Makes conforming and nonsubstantive changes.

ARTICLE 2. TRANSFER OF DUTIES AND CONFORMING AMENDMENTS

SECTION 2.01. Amends Sections 1.085(e), (f), and (g), Tax Code, to make conforming changes.

SECTION 2.02. Amends Sections 1.111(b), (e), and (h), Tax Code, as follows:

(b) Makes a conforming change.

(e) Provides that an agreement between a property owner or the owner's agent and the chief appraiser is final if the agreement relates to a matter:

(1) which may be protested to the appraisal review board or on which a protest has been filed but not determined by the appraisal review board; or

(2) which may be corrected under Section 25.25 (Correction of Appraisal Roll) or on which a motion for correction under that section has been filed but not determined by the appraisal review board.

(h) Makes conforming changes.

SECTION 2.03. Amends Sections 6.05(c) and (i), Tax Code, to make a conforming change.

SECTION 2.04. Amends Section 6.0501, Tax Code, as follows:

Sec. 6.0501. New heading: APPOINTMENT OF ELIGIBLE CHIEF APPRAISER BY STATE PROPERTY TAX BOARD. (a)-(d) Makes conforming changes.

SECTION 2.05. Amends Sections 6.052(a) and (b), Tax Code, to make conforming changes.

SECTION 2.06. Amends Section 6.412(c), Tax Code, to provide that a person is ineligible to serve on the appraisal review board if the person is a member of the board of directors, an officer, or an employee of the appraisal district, is an employee or member of the State Property Tax Board, rather than an employee of the comptroller, or is a member of the governing body, an officer, or an employee of a taxing unit.

SECTION 2.07. Amends Section 11.11(b), Tax Code, to make conforming changes.

SECTION 2.08. Amends Section 11.135(g), Tax Code, to make a conforming change.

SECTION 2.09. Amends Section 11.182(i), Tax Code, to make a conforming change.

SECTION 2.10. Amends Section 11.26(e), Tax Code, to make a conforming change.

SECTION 2.11. Amends Section 11.27(b), Tax Code, to make a conforming change.

SECTION 2.12. Amends Sections 11.43(f) and (j), Tax Code, to make conforming changes.

SECTION 2.13. Amends Section 11.44(c), Tax Code, to make a conforming change.

SECTION 2.14. Amends Section 11.48(b), Tax Code, to make conforming changes.

SECTION 2.15. Amends Section 21.03(b), Tax Code, to make a conforming change.

SECTION 2.16. Amends Sections 21.031(e) and (f), Tax Code, to make conforming changes.

SECTION 2.17. Amends Section 21.09(c), Tax Code, to make a conforming change.

SECTION 2.18. Amends Section 22.01(l), Tax Code, to make a conforming change.

SECTION 2.19. Amends Section 22.21, Tax Code, to make a conforming change.

SECTION 2.20. Amends Sections 22.24(a), (c), and (e), Tax Code, to make conforming changes.

SECTION 2.21. Amends Sections 22.27(a), (b), and (d), Tax Code, to make conforming changes.

SECTION 2.22. Amends Sections 23.121(a)(3) and (6), Tax Code, to make conforming changes.

SECTION 2.23. Amends Section 23.121(f), Tax Code, to make a conforming change.

SECTION 2.24. Amends Sections 23.122(a) and (e), Tax Code, to make conforming changes.

SECTION 2.25. Amends Section 23.123(c), Tax Code, to authorize that information made confidential by this section may be disclosed to the State Property Tax Board or an employee of the board authorized by the board to receive the information. Makes a nonsubstantive change.

SECTION 2.26. Amends Section 23.124(a)(6), Tax Code, to make a conforming change.

SECTION 2.27. Amends Section 23.124(f), Tax Code, to make a conforming change and a nonsubstantive change.

SECTION 2.28. Amends Section 23.1241(a)(4), Tax Code, to make a conforming change.

SECTION 2.29. Amends Section 23.1241(f), Tax Code, to make a conforming change.

SECTION 2.30. Amends Section 23.1242(a)(3), Tax Code, to make a conforming change.

SECTION 2.31. Amends Section 23.1242(e), Tax Code, to make conforming changes.

SECTION 2.32. Amends Sections 23.125(a) and (e), Tax Code, to make conforming and nonsubstantive changes.

SECTION 2.33. Amends Section 23.126(c), Tax Code, to authorize that information made confidential by this section may be disclosed to the State Property Tax Board or an employee of the board authorized by the board to receive the information. Makes a nonsubstantive change.

SECTION 2.34. Amends Section 23.127(a)(3), Tax Code, to make a conforming change.

SECTION 2.35. Amends Section 23.127(f), Tax Code, to make a conforming change.

SECTION 2.36. Amends Section 23.128(a)(4), Tax Code, to make a conforming change.

SECTION 2.37. Amends Section 23.128(e), Tax Code, to make conforming changes.

SECTION 2.38. Amends Section 23.175(b), Tax Code, to make a conforming change.

SECTION 2.39. Amends Sections 23.41(b) and (e), Tax Code, to make conforming changes.

SECTION 2.40. Amends Section 23.43(d), Tax Code, to make conforming changes.

SECTION 2.41. Amends Section 23.45(b), Tax Code, as follows:

(b) Authorizes that information made confidential by this section may be disclosed:

(1) Makes no change to this subdivision;

(2) Makes a nonsubstantive change;

(3) to the comptroller and to employees of the comptroller authorized by the comptroller in writing to receive the information or to an assessor or a chief appraiser if requested in writing by that official; Makes nonsubstantive changes;

(4) Makes no change to this subdivision;

(5) and (6) Makes nonsubstantive changes; and

(7) to the State Property Tax Board or an employee of the board authorized by the board to receive the information.

SECTION 2.42. Amends Section 23.52(d), Tax Code, to make conforming changes.

SECTION 2.43. Amends Section 23.521(a), Tax Code, to make conforming changes.

SECTION 2.44. Amends Sections 23.54(b) and (c), Tax Code, to make conforming changes.

SECTION 2.45. Amends Section 23.73(b), Tax Code, to make conforming changes.

SECTION 2.46. Amends Sections 23.75(b) and (c), Tax Code, to make conforming changes.

SECTION 2.47. Amends Section 23.83(e), Tax Code, to make a conforming change.

SECTION 2.48. Amends Section 23.84(f), Tax Code, to make a conforming and nonsubstantive change.

SECTION 2.49. Amends Section 23.93(e), Tax Code, to make a conforming change.

SECTION 2.50. Amends Section 23.94(f), Tax Code, to make a conforming and nonsubstantive change.

SECTION 2.51. Amends Sections 23.9804(b), (c), and (d), Tax Code, to make conforming changes.

SECTION 2.52. Amends Section 24.32(c), Tax Code, to make conforming changes.

SECTION 2.53. Amends Section 24.34(b), Tax Code, to make a conforming change.

SECTION 2.54. Amends Section 24.36, Tax Code, as follows:

Sec. 24.36. New heading: CERTIFICATION TO STATE PROPERTY TAX BOARD.
Makes a conforming change.

SECTION 2.55. Amends Section 24.365, Tax Code, to make conforming changes.

SECTION 2.56. Amends Section 24.37, Tax Code, to make a conforming change.

SECTION 2.57. Amends Section 24.38, Tax Code, to make a conforming change.

SECTION 2.58. Amends Section 24.40(a), Tax Code, to make conforming and nonsubstantive changes.

SECTION 2.59. Amends Section 25.011(b), Tax Code, to make a conforming change.

SECTION 2.60. Amends Section 25.02(a), Tax Code, to make a conforming change.

SECTION 2.61. Amends Section 25.025(b), Tax Code, to make conforming changes.

SECTION 2.62. Amends Section 25.026(b), Tax Code, to make a conforming change.

SECTION 2.63. Amends Section 25.03(b), Tax Code, to make a conforming change.

SECTION 2.64. Amends Sections 25.19(i) and (j), Tax Code, to make conforming changes.

SECTION 2.65. Amends Section 25.23(b), Tax Code, to make conforming changes.

SECTION 2.66. Amends Section 26.01(b), Tax Code, to make conforming changes.

SECTION 2.67. Amends Section 26.04(e), Tax Code, to make a conforming and nonsubstantive change.

SECTION 2.68. Amends Section 26.16(e), Tax Code, to make a conforming change.

SECTION 2.69. Amends Section 31.075(a), Tax Code, to make a conforming change.

SECTION 2.70. Amends Section 31.11(c), Tax Code, to make a conforming change.

SECTION 2.71. Amends Section 33.43(e), Tax Code, to make a conforming and nonsubstantive change.

SECTION 2.72. Amends Section 41.44(d), Tax Code, to make conforming changes.

SECTION 2.73. Amends Sections 41.45(k) and (l), Tax Code, to make conforming changes.

SECTION 2.74. Amends Section 41.461(a), Tax Code, to require the chief appraiser, at least 14 days before a hearing on a protest, to deliver a copy of the pamphlet prepared by the State Property Tax Board under Section 5.06, rather than prepared by the comptroller under Section 5.06(a), to the property owner initiating the protest if the owner is representing himself or herself, or to an agent representing the owner if requested by the agent.

SECTION 2.75. Amends Section 41.65, Tax Code, to make conforming changes.

SECTION 2.76. Amends Section 41.66(a), Tax Code, to make a conforming change.

SECTION 2.77. Amends Section 41.68, Tax Code, to make a conforming change.

SECTION 2.78. Amends Section 41.70(a), Tax Code, to make a conforming change.

SECTION 2.79. Amends Section 41A.03(a), Tax Code, to make a conforming change.

SECTION 2.80. Amends Section 41A.04, Tax Code, to make a conforming change.

SECTION 2.81. Amends Section 41A.05, Tax Code, to make conforming changes.

SECTION 2.82. Amends Sections 41A.06(a) and (c), Tax Code, to make conforming changes.

SECTION 2.83. Amends Section 41A.061, Tax Code, to make conforming changes.

SECTION 2.84. Amends Section 41A.07, Tax Code, to make conforming changes.

SECTION 2.85. Amends Sections 41A.09(a), (c), (d), and (e), Tax Code, to make conforming changes.

SECTION 2.86. Amends Section 41A.10(b), Tax Code, to make conforming changes.

SECTION 2.87. Amends Section 41A.12, Tax Code, to make a conforming change.

SECTION 2.88. Amends Section 41A.13, Tax Code, to make a conforming change.

SECTION 2.89. Amends Section 42.01(a), Tax Code, to make a conforming change.

SECTION 2.90. Amends Section 42.03, Tax Code, to make a conforming change.

SECTION 2.91. Amends Section 42.05, Tax Code, as follows:

Sec. 42.05. New heading: STATE PROPERTY TAX BOARD AS PARTY. Makes conforming changes.

SECTION 2.92. Amends Sections 42.06(a), (b), and (c), Tax Code, to make conforming changes.

SECTION 2.93. Amends Section 42.21(b), Tax Code, to make a conforming change.

SECTION 2.94. Reenacts Section 42.22, Tax Code, as amended by Chapters 667 (S.B. 548) and 1003 (H.B. 301), Acts of the 73rd Legislature, Regular Session, 1993, and amends it to make a conforming change.

SECTION 2.95. Amends Section 42.23(b), Tax Code, to make a conforming change.

SECTION 2.96. Amends Section 42.26(c), Tax Code, to make conforming changes.

SECTION 2.97. Amends Section 42.28, Tax Code, to make a conforming change.

SECTION 2.98. Amends Sections 42.43(g) and (i), Tax Code, to make conforming changes.

SECTION 2.99. Amends Section 43.01, Tax Code, to make a conforming change.

SECTION 2.100. Amends Section 111.00455(b), Tax Code, to make conforming changes.

SECTION 2.101. Amends Section 111.0081(c), Tax Code, to provide that the amount of a determination made under this code is due and payable 20 days after a decision of the comptroller or the State Property Tax Board, as applicable, rather than 20 days after a comptroller's decision, in a redetermination hearing becomes final. Makes no further changes to this section.

SECTION 2.102. Amends Section 111.009, Tax Code, by amending Subsections (a) and (d) and adding Subsection (a-1) as follows:

(a) Authorizes a person having a direct interest in a determination, except as provided by Subsection (a-1), to petition the comptroller for a redetermination.

(a-1) Authorizes a person having a direct interest in a determination under Section 313.0276 (Penalty for Failure to Comply with Job-Creation Requirements) to petition the State Property Tax Board for a redetermination.

(d) Provides that an order or decision of the comptroller or State Property Tax Board, as applicable, on a petition for redetermination becomes final 20 days after service on the petitioner of the notice of the order or decision.

SECTION 2.103. Amends Section 311.011(h), Tax Code, to make conforming changes.

SECTION 2.104. Amends Section 311.013(n), Tax Code, to make a conforming change.

SECTION 2.105. Amends Section 311.016(b), Tax Code, to make a conforming change.

SECTION 2.106. Amends Section 311.0163(a), Tax Code, to make a conforming change.

SECTION 2.107. Amends Section 311.019, Tax Code, as follows:

Sec. 311.019. CENTRAL REGISTRY. (a) Makes a conforming change.

(b) Requires a municipality or county that designates a reinvestment zone or approves a project plan or reinvestment zone financing plan under this chapter to deliver to the State Property Tax Board before April 1 of the year following the year in which the zone is designated or the plan is approved a report containing any other information required by the board to administer this section, rather than this section and Subchapter F, Chapter 111 (Collection Procedures). Makes conforming changes.

(c) Makes a conforming change.

SECTION 2.108. Amends Section 311.020, Tax Code, as follows:

Sec. 311.020. STATE ASSISTANCE. (a) Makes a conforming change.

(b) Authorizes the economic development and tourism division of the governor's office and the State Property Tax Board, rather than authorizes the Texas Department of Economic Development and the comptroller, to provide technical assistance to a municipality or county regarding:

(1) the designation of reinvestment zones under this chapter; and

(2) the adoption and execution of project plans or reinvestment zone financing plans under this chapter.

SECTION 2.109. Amends Section 312.005, Tax Code, to make conforming changes.

SECTION 2.110. Amends Section 313.004, Tax Code, to make a conforming change.

SECTION 2.111. Amends Section 313.005, Tax Code, as follows:

(a) Creates this subsection from existing text. Makes no further change to this subsection.

(b) Defines "board" in this chapter.

SECTION 2.112. Amends Section 313.022(b), Tax Code, to make conforming changes.

SECTION 2.113. Amends Sections 313.025(a), (a-1), (b), (b-1), (c), (d), (d-1), (e), (h), and (i), Tax Code, to make conforming changes.

SECTION 2.114. Amends Section 313.026, Tax Code, to make conforming changes.

SECTION 2.115. Amends Section 313.0265, Tax Code, to make conforming changes.

SECTION 2.116. Amends Section 313.027(f), Tax Code, to make a conforming change.

SECTION 2.117. Amends Section 313.0275(d), Tax Code, to make a conforming change.

SECTION 2.118. Amends Sections 313.0276(a), (b), (c), (d), (g), (j), (k), (l), and (m), Tax Code, as follows:

(a)-(d) Makes conforming changes.

(g) Provides that an adverse determination under this section is a deficiency determination under Section 111.008 (Deficiency Determination). Requires the board to report a penalty under this section to the comptroller. Requires the comptroller to collect, receive, or administer the amount of the penalty imposed under this section, and the determination is subject to the payment and redetermination requirements of Sections

111.0081 (When Payment is Required) and 111.009 (Redetermination). Deletes existing text providing that a penalty imposed under this section is an amount the comptroller is required to enforce.

(j)-(l) Makes conforming changes.

(m) Requires the board to transfer any penalty collected under this section, rather than requires the comptroller to deposit a penalty collected under this section, including any interest and penalty applicable to the penalty, to the comptroller who is required to deposit it to the credit of the foundation school fund.

SECTION 2.119. Amends Section 313.028, Tax Code, to make conforming changes.

SECTION 2.120. Amends Section 313.031(a), Tax Code, to make a conforming change.

SECTION 2.121. Amends Sections 313.032(a), (b-1), (c), and (d), Tax Code, to make conforming changes.

SECTION 2.122. Amends Section 313.033, Tax Code, to make conforming changes.

SECTION 2.123. Amends Sections 313.051(a) and (a-3), Tax Code, to make conforming changes.

SECTION 2.124. Amends Section 313.052, Tax Code, to make conforming changes.

SECTION 2.125. Amends Section 7.062(a), Education Code, to redefine "wealth per student" in this section. Changes a reference to Subchapter M, Chapter 403, Government Code, to Subchapter B, Chapter 5, Tax Code.

SECTION 2.126. Amends Section 13.051(c), Education Code, to makes conforming changes.

SECTION 2.127. Amends Section 13.231(b), Education Code, to make conforming changes.

SECTION 2.128. Amends Section 41.001(2), Education Code, to make conforming changes.

SECTION 2.129. Amends Section 41.002(f), Education Code, to make conforming changes.

SECTION 2.130. Amends Section 41.202(a), Education Code, to make conforming changes.

SECTION 2.131. Amends Sections 42.252(a), (b), and (c), Education Code, to make conforming changes.

SECTION 2.132. Amends Sections 42.2522(a) and (d), Education Code, to make conforming changes.

SECTION 2.133. Amends Section 42.254, Education Code, to make conforming changes.

SECTION 2.134. Amends Section 42.257(a), Education Code, to make conforming changes.

SECTION 2.135. Amends Section 42.259(a)(4), Education Code, to make a conforming change.

SECTION 2.136. Amends Section 42.302(a), Education Code, to make conforming changes.

SECTION 2.137. Amends Section 46.003(a), Education Code, to make conforming changes.

SECTION 2.138. Amends Section 46.006(g), Education Code, to make conforming changes.

SECTION 2.139. Amends Section 46.032(a), Education Code, to make conforming changes.

SECTION 2.140. Amends the heading to Section 552.149, Government Code, to read as follows:

Sec. 552.149. New heading: EXCEPTION: CONFIDENTIALITY OF RECORDS OF STATE PROPERTY TAX BOARD OR APPRAISAL DISTRICT RECEIVED FROM PRIVATE ENTITY.

SECTION 2.141. Amends Sections 552.149(a), (c), and (d), Government Code, to make conforming changes.

SECTION 2.142. Amends Sections 825.405(h) and (i), Government Code, to make conforming changes.

SECTION 2.143. Amends Section 61.040, Health and Safety Code, to make a conforming change.

SECTION 2.144. Amends Section 1151.1015, Occupations Code, as follows:

Sec. 1151.1015. New heading: ASSISTANCE FROM STATE PROPERTY TAX BOARD. Makes conforming changes.

SECTION 2.145. Amends Sections 1151.1581(b) and (e), Occupations Code, to make conforming changes.

SECTION 2.146. Amends Section 1151.161(c), Occupations Code, to make a conforming change.

SECTION 2.147. Amends Section 1151.202(c), Occupations Code, to make conforming changes.

SECTION 2.148. Amends Section 1151.204(c), Occupations Code, to make a conforming change.

SECTION 2.149. Amends Section 1152.204(c), Occupations Code, to make a conforming change.

ARTICLE 3. TRANSITION AND EFFECTIVE DATE

SECTION 3.01. (a) Provides that on January 1, 2016:

(1) the property tax assistance division of the office of the comptroller of public accounts is abolished and all powers and duties of the division are transferred to the State Property Tax Board;

(2) all obligations, rights, contracts, appropriations, records, and property of the property tax assistance division of the office of the comptroller of public accounts are transferred to the State Property Tax Board;

(3) a rule, policy, procedure, or decision of the property tax assistance division of the office of the comptroller of public accounts continues in effect as a rule, policy, procedure, or decision of the State Property Tax Board, in accordance with Subdivision (1) of this subsection, until superseded by a later act of the State Property Tax Board; and

(4) a reference in law to the property tax assistance division of the office of the comptroller of public accounts or to the comptroller in a law concerning the former duties of the division means the State Property Tax Board.

(b) Provides that the validity of a form adopted, contract or acquisition made, proceeding begun, obligation incurred, right accrued, or other action taken by or in connection with the authority of the property tax assistance division of the office of the comptroller of public accounts before it is abolished under Subsection (a) of this section is not affected

by this Act. Provides that, to the extent those actions continue to have any effect on or after January 1, 2016, they are considered to be actions of the State Property Tax Board.

(c) Requires the State Property Tax Board to reimburse the general revenue fund with all money received from appraisal districts or property owners as reimbursement for the board's cost of conducting performance audits.

(d) Provides that all appropriations made to the office of the comptroller of public accounts to conduct the duties of the property tax assistance division of that office are transferred to the State Property Tax Board.

(e) Requires the governor, as soon as practicable after the effective date of this Act, but not later than October 1, 2015, to make appointments to the State Property Tax Board. Requires the governor, in making those appointments, to appoint three members to terms expiring March 1, 2017, two to terms expiring March 1, 2019, and two to terms expiring March 1, 2021.

(f) Authorizes the governor or the person appointed by the governor to be the chair of the State Property Tax Board to designate a person to perform ministerial duties necessary for posting notice of and holding the first meeting of the board.

SECTION 3.02. (a) Requires the property tax assistance division of the office of the comptroller of public accounts and the State Property Tax Board (board), not later than November 1, 2015, to adopt a comprehensive transition plan to transfer the powers and duties of the division to the board under this Act. Provides that the comprehensive transition plan may include an agreement for the provision of office space, utilities and other facility services, and support services and for the transfer of information technology as necessary or appropriate to effect the transfer of the powers and duties of the division to the board.

(b) Provides that otherwise confidential information shared between the property tax assistance division of the office of the comptroller of public accounts and the board remains subject to the same confidentiality requirements and legal restrictions on access to the information that are imposed by law on the entity that originally obtained or collected the information.

(c) Provides that information described in Subsection (b) of this section may be shared between the property tax assistance division of the office of the comptroller of public accounts and the board without the consent of the person who is the subject of the information.

SECTION 3.03. (a) Requires the head of the property tax assistance division of the office of the comptroller of public accounts, not later than December 1, 2015, to meet with the board to provide for the transfer of essential personnel to the board.

(b) Requires the division to continue, as necessary, to perform the duties and functions being transferred to the board until the transfer of agency duties and functions is complete.

SECTION 3.04. Provides that the Comptroller's Appraisal Review Board Manual is renamed the State Property Tax Board's Appraisal Review Board Manual. Provides that any references to the Comptroller's Appraisal Review Board Manual mean the State Property Tax Board's Appraisal Review Board Manual.

SECTION 3.05. Provides that this Act applies only to a tax year beginning on or after the effective date of this Act.

SECTION 3.06. Effective date: September 1, 2015.