

BILL ANALYSIS

Senate Research Center
86R2724 SMT-D

S.B. 597
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Property Tax
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Section 41.41, Tax Code, establishes the right of property owners to protest before an appraisal review board the appraised value of their property.

However, there is no blanket prohibition on an appraisal district requiring a property owner to pay a fee in connection with a protest filed by a property owner with the appraisal review board.

S.B. 597 would add a new Subsection (c) to Section 41.41, Tax Code to read as follows:

(c) An appraisal district or the appraisal review board for an appraisal district may not require a property owner to pay a fee in connection with a protest filed by the owner with the board.

Note: For the past five years, the comptroller of public accounts of the State of Texas (comptroller) has surveyed Texans who chose to protest their property values whether they would be willing to pay such a fee. According to the comptroller's December 2018 report, more than 90 percent of Texans have opposed such a fee year every year from 2014 through 2018.

S.B. 597 would eliminate the need to ask this question again by prohibiting such a fee.

Regarding the comptroller's survey, Section 5.103(e), Tax Code, directs the comptroller to develop a survey for the purpose of providing the public with a reasonable opportunity to offer comments and suggestions concerning procedures used by an appraisal review board (ARB) in conducting a hearing and the fairness and efficiency of the ARB. Section 5.103(f), Tax Code, requires the comptroller's office to issue an annual report summarizing the comments and suggestions received from property owners. This report is a compilation and summation of property owner responses received by the comptroller's office through the electronic survey. The comptroller's office provides data received from property owners, their agents, chief appraisers or members of the public in a downloadable electronic spreadsheet from the comptroller's website at comptroller.texas.gov/taxes/property-tax/reports/index.php

As proposed, S.B. 597 amends current law relating to a prohibition on the imposition by an appraisal district or the appraisal review board for an appraisal district of a fee in connection with a protest filed with the board.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 41.41, Tax Code, by adding Subsection (c) to prohibit an appraisal district or the appraisal review board (board) for an appraisal district from requiring a property owner to pay a fee in connection with a protest filed by the owner with the board.

SECTION 2. Effective date: upon passage or September 1, 2019.