

Taxing Legislation

A Brief Listing of Bills Filed
82nd Legislative Session
as of March 17, 2011

Hot Topics

HB 21 Riddle

Reporting by state agencies on the financial effect of providing services to illegal immigrants.

HB 104 Brown

Abolishes TX Higher Education Coordinating Board; transfers functions/activities and SBOE statutorily assigned functions and activities to the TEA.

HB 106 Brown

Provides for one school district in each county.

HB 187 Perry

Relating to zero-based budgeting for certain entities funded by this state.

HB 288 Lucio III

Prohibiting the use of wireless communication device while using certain motor vehicles.

HB 296 Berman

Enforcement of immigration laws and employment labor practices associated with hiring illegals.

HB 301/HJR 38 Berman

Establishes English as official language of Texas. Requires government actions be performed in English.

HB 354 Burnam

Creates state income tax on income above \$150,000 to provide property tax relief and fund public education.

HB 360 Jackson, Jim

Relating to ballot language when approving imposition or increase of a tax or the issuance of bonds.

HB 553 Howard, Donna

Nonpartisan election of State Board of Education.

HB 578 Guillen

Relating to state financing of public transportation.

HB 587 Kleinschmidt, SB 298 Wentworth and SB 444

Patrick Eliminating tuition set asides for student financial assistance.

HB 608 Zerwas | et al.

Relating to state agency reports on the cost of services and benefits provided to undocumented immigrants.

HB 623 Bonnen

Detection, reporting, collection, dissemination, and classification of info concerning illegal immigration and enforcement of immigration laws. Establishes English as official language of state.

HB 785 Davis, Yvonne

Restricting use of state funds to benefit private entities that outsource jobs to foreign countries.

HB 795 Zerwas

Requires Comptroller to study franchise tax, analyze other revenue generating methods *transaction and value-added tax, elimination of sales tax exemptions, sales tax increase, business sales tax* considered effective. Due 11/1/2012.

HB 869 Creighton

Relating to the franchise tax and alternative revenue sources and spending priorities for this state.

HB 881 Alonzo

Relating to abolishing the State Board of Education and transferring the functions of the board to the Texas Education Agency and the commissioner of education.

HB 1153 Paxton

Relating to public access to financial and tax rate information of political subdivisions.

HB 1183/HJR 41 Raymond

Ability to hold local elections to legalize or prohibit operation of 8-liners and imposition of fee on owners.

HB 1591 Turner

Requires CPA to provide report of state fees and uses.

HB 1838 Eiland

Repeals franchise taxes.

HB 1841 Hartnett

Relating to the taxability of Internet hosting.

HJR 18 Branch and HJR 25 Paxton

Constitutional amendment requiring increase in franchise taxes to be approved by 2/3 of all legislators.

HJR 29 Callegari, et al/HJR 37 Hughes, et al/HJR 59 Hancock et al SJR 12 Patrick, Dan

Constitutional amendment requiring certain tax bills to be approved by two-thirds of all the members elected to each house of the legislature.

HJR 42 Callegari

Constitutional amendment to limit rate of growth of state appropriations and use of unencumbered surplus state revenues to provide for rebate of state franchise taxes, to reduce public school district property taxes and to fund rainy day fund.

HJR 70 Paxton

Sets maximum rate of growth of appropriations by Legislature and use of unencumbered surplus general revenues to fund the Rainy Day fund and a school property tax relief fund.

Hot Topics continued

HJR 80 Larson

Constitutional amendment establishing term limits for legislators and certain elective executive offices.

HJR 105 Zedler

Constitutional amendment requiring 2/3 vote of legislature to create an entity with taxing power.

SB 3 Shapiro

Strips unfunded mandates from ISD budgets.

SB 59 Zaffirini

Provides for reporting of political contributions and expenditures of elected officials and on measures proposed by local governments.

SB 68 Zaffirini

Relating to contracting issues of state agencies, including ethics issues related to state contracting.

SJR 17 Carona

Establishes that Legislature may not establish, expand, or modify a duty on local government that requires an expenditure of local revenue until and unless payment is appropriated or reimbursed to local government.

Motor Vehicle

HB 217 Gallego

Relating to an optional county fee on registration of a vehicle in certain counties.

HB 422 Guillen

Relating to certain oversize and overweight permits issued by the Texas Department of Transportation.

HB 441 Guillen

Relating to the fees for certain commercial vehicles.

HB 598 Jackson, Jim

Requires certain vehicle registration applicants to provide proof of valid driver's license.

HB 890 Howard, Charlie | et al.

Relating to the registration and compulsory inspection of certain street rods and custom vehicles.

HB 1068 Brown

Relating to the number of license plates issued and displayed on a motor vehicle.

HB 2204 Oliveira / SB 1386 Lucio

Allows county assessor-collector or the DMV to refuse to register a vehicle if the owner fails to address county fine, fee or tax.

HJR 64 & 66 Pickett, HJR 78 Harper-Brown, HJR 84 Larson, SJR 8 Wentworth

Constitutional amendment to limit use of vehicle registration fees, taxes on motor fuels and lubricants and some revenues received from Washington.

SB 495 Fraser

Relating to an exemption from the motor vehicle use tax for motor vehicles brought into this state by certain military personnel or retired military personnel.

Property Tax

HB 23/HJR 16 Riddle

Allows county commissioners to call election limiting increases in value of homesteads between 3-10%. Limit would apply to all taxing jurisdictions in the county.

HB 26/HJR 17 Guillen

Freezes property taxes on active-duty armed forces member's residence homestead conditionally. Taxing unit would need to adopt limit.

HB 56/HJR 21 Martinez

Raises mandatory homestead exemption on school taxes to \$45,000 and adjusts exemption for elderly and disabled individuals.

HB 95/HJR 23 Fletcher, HB 313/HJR 40 Pickett, HB 461/HJR 47 Kleinschmidt, HB 469 Callegari, HB 472/HJR 48 Anderson Doc, HB 526/HJR 52 McClendon, HB 576 McClendon, HB 781/HJR 72 King, Phil, HB 833/HJR 76 Lozano SB 201 Uresti, SB 357/SJR 14 Van de Putte, SB 516 Patrick Allows surviving spouse or minor children of totally disabled veteran exemption on homestead various differences.

HB 252 Hilderbran

Eligibility for residence homestead, requiring proof of residency.

HB 312/HJR 39 Callegari, HB 609/HJR 62 Zerwas SB 129/SJR 7 Patrick, Dan Limits increase in value of homestead to 5%.

HB 316 Fletcher

Requires certain appraisal districts to provide for electronic signing and filing of designation of an agent.

HB 445 Guillen

Eligibility of a disabled veteran or surviving spouse to pay property taxes on homestead in installments.

HB 499 Rodriguez, Eddie

Relating to the additional penalty for collection costs for certain delinquent ad valorem taxes.

Property Tax continued

HB 533 Villarreal

Relating to the protest of a rendition penalty.

HB 658 Villarreal

Relating to the repeal of state sales tax and franchise tax refunds for certain ad valorem tax payers.

HB 666 Villarreal

Requires Comptroller to examine impact of mandatory sales price disclosure on property taxes and system.

HB 717 Miller, Sid | et al.

Election of two directors on appraisal district board.

HB 732/HJR 68 Hopson

Increases homestead exemption on school taxes from \$15,000 to \$30,000 and limits taxes on homestead of elderly or disabled to reflect higher exemption. Protects schools against resulting loss in revenue.

HB 767 Lozano

Exempts residence homesteads of certain totally disabled veterans.

HB 780/HJR 73 King, Phil

Prohibits ad valorem tax to maintain an efficient system of public free schools beginning Jan. 1, 2016.

HB 798/HJR 74 Creighton and HB 879/HJR 79 Howard, Charlie Constitutional amendment authorizing legislature to limit maximum value of homestead to 105%.

HB 803 Bonnen and SB 432 Jackson

Relating to penalty for failure to make timely payment of installment on property in a disaster area.

HB 839 Elkins

Relating to treatment under the public school finance system of school revenue resulting from reduction or elimination of an optional homestead exemption.

HB 843 Geren

Relating to the use of electronic means for delivery of property tax bills to certain owners and agents.

HB 868 Huberty

Relating to the calculation of the rollback tax rate of a taxing unit other than a school district.

HB 874 Howard, Charlie/SB 771 Williams

Relating to the provision of information by tax officials related to ad valorem tax rates.

HB 975 Dutton

Relating to eligibility to serve on the appraisal review

board of an appraisal district.

HB 1079/HJR 82 King, Phil and SB 474/SJR Patrick

Limiting value increases of commercial and industrial real property to 10% per year.

HB 1088 Howard, Charlie

Relating to appraisal review board members.

HB 1090 Gonzalez, Naomi

Relating to the calculation of interest on certain ad valorem tax refunds.

HB 1104/HJR 83 Paxton

Constitutional amendment to phase out property taxes on homesteads of elderly persons by 2021.

HB 1184/HJR 87 Legler

Limitation of 5% on all real property increases. Qualifies all homesteads purchased during 2011 to be eligible for 2011 tax exemption.

HB 1282 Kleinschmidt/HJR 150

Electing chief appraiser for two year term.

HB 1308 Villarreal

Creates Commission to perform periodic review of state and local tax preferences.

HB 1543 Schwertner

Eligibility of surviving spouse of elderly or disabled person to receive tax ceiling on HS.

HB 1676 Hochberg

Relating to certain penalties on personal property tax renditions.

HB 1717 Garza and SB 722 Williams

Election of board of directors of an appraisal district.

HB 1884 Garza

Limits reappraisal of homestead to once in three years.

HB 1887 Villarreal

Provides for procedural changes to property tax protests and appeals. Allows the court to require parties to attend alternative dispute resolution.

HB 2078 Villarreal

Prohibits appraisal districts and ARBs from conducting their own training. Further defines limitation of communication between ARB and chief appraiser.

HB 2208 Oliveira SB 1385

Allows chief appraiser or collector to waive penalties for failing to file certain documents if the taxpayer files a waiver stating their failure to file was a result of a natural disaster, an event beyond their control that destroyed the taxpayer's property or records and the taxpayer is otherwise in compliance.

Property Tax continued

HB 2242 Munoz, Jr. SJR 114

Adds certain illnesses as qualifying for disabled person exemption.

HB 2321/HJR 156 Howard, Charlie

Changes definition of "market value" to "full cash value" as shown on the 2009 tax bill as market value, and thereafter, the value when purchased, newly constructed or at time of a change in ownership.

HB 2331 King, Phil

Provides that ARBs shall seriously consider evidence provided by an owner of the price paid for a residence homestead in the determination of the appraised value.

HB 2332 - King, Phil/SB 1215

Amends several Codes to provide for an exemption from taxes by a school district for M&O purposes for a homestead and offsets revenue loss to schools with state sales and use tax revenue. Provides for various other exemptions and limitations.

HB 2338 Paxton

Requires chief appraiser to post on county website information regarding tax rates for past five tax years.

HB 2456 Zedler

Lowers rollback tax rate multiplier to 1 + inflation rate.

HB 2529 Price

Prohibits taxing unit from employing any person for the purpose of appraising property for tax purposes. Provides for appraisal districts to be governed by five directors, four appointed by commissioner's court.

HB 2607/HJR 128 Beck

Allows surviving spouse of a firefighter or peace officer killed while performing official duties, to an exemption from taxation of the total appraised value of the surviving spouse's residence homestead for five consecutive years.

HB 2696 Eiland/SB 1205 Jackson

Limitation on appraised value of homestead that is a replacement structure for one rendered uninhabitable or unusable by a casualty or by wind or water damage.

HB 2927 Farias

Provides for new limitations on appraised value for homesteads; reappraisal only every three years.

HB 2952 Cain Legislative Directive

Defines local government as a county, municipality, school or other special district; or any other local government or political subdivision of State. Prohibits governing body from adopting a budget that exceeds

the revenue adopted the previous year by the lesser of the growth of state's gross state product or population growth in the local government plus inflation.

HB 3186 Paxton

Requires an election to adopt a tax rate, other than a school district, that exceeds the rollback tax rate.

HB 3216 Otto

Allows for electronic communication between property owners, or persons designated by the owner, and chief appraisers, appraisal districts, appraisal review boards, or any combination of those persons. Participation is mandatory for appraisal districts located in a county with a population of more than 200,000.

HB 3315/HJR 139 Schwertner

Adjusts limitations on school district, county, city and junior college district ad valorem taxes on residential homestead of elderly and disabled persons and their surviving spouse by including the exemptions provided by §11.13b or n, Tax Code.

HB 3367/HJR 142 White

Omnibus tax code bill that changes numerous sections of Tax, Education, Government, Election and Insurance Codes with the effect of repealing the laws authorizing the imposition of property taxes. Limits rates of state and local sales and use taxes.

HB 3457 Eiland

Relating to junior college representation on appraisal district boards.

HB 3488 Menendez

Amends requirements for demonstrating eligibility for property tax exemption for homestead of elderly or disabled person by requiring applicant who is not specifically identified on appropriate instrument of record to provide evidence establishing ownership.

HB 3540 Phillips

Relating to administration of appraisal districts.

HJR 53 Christian

Constitutional amendment prohibiting political subdivisions from imposing property taxes after 2014.

HJR 93 Christian

Constitutional amendment exempting residential real property from property taxes.

SB 112 Davis, Wendy

Relating to public school finance and certain limits on the property tax rate of a school district.

SB 175/SJR 11 Nichols

Limits increases in appraised value of homestead from

Property Tax continued

5-10% if passed by election called by commissioners court. Applies to all tax jurisdictions in county.

SB 299 Wentworth

Relating to mandatory sales price disclosure in real property sales.

SB 474/SJR 20 Patrick

Constitutional amendment authorizing legislature to limit value of commercial or industrial real property for property tax purposes to 110% or more of the value for the preceding tax year.

SB 516/SJR 21 Patrick Constitutional amendment authorizing legislature to exempt from taxes the homestead of surviving spouse or minor children of a 100% or totally disabled vet various versions.

SB 720 Williams

Reduces tax rate rollback rate from 8% to 5%.

SB 952 Davis

Allowing electronic delivery of property tax bills.

SB 1215 Patrick

Exempts homesteads from M&O taxes for ISDs and offsets revenue loss with sales tax.

SB 1288 Watson Legislative Directive

Directs the Comptroller to conduct a study regarding property tax relief through the use of a circuit breaker program, which limits the amount of taxes that may be imposed on a homestead based on the owner's income.

SB 1506 Uresti

Requires use of actual price data, as available, market-based data, and market-based methodology to be used in the appraisal for ad valorem tax purposes of a real property interest in oil and gas in place.

SJR 12 Patrick, Dan

Constitutional amendment requiring certain tax bills to be approved by two-thirds of all the members elected to each house of the legislature.

Voter Registration & Elections

HB 16 Riddle, HB 107HB 112 Harless, HB 186 Perry, HB 248 Chisum, HB 250 Hilderbran, HB 401 Smith, Todd, HB 539 Anderson, Charles "Doc", HB 624 Bonnen, HB 1412 Chisum, SB 178 Fraser
Various voter ID bills.

HB 157 Raymond

Regarding to filing application for place on the general primary election ballot.

HB 174 Jackson, Jim

Cancellation of voter registration and eligibility of deceased persons and non US citizens to vote.

HB 179 Alonzo

Registration of voters at polling places.

HB 239 Parker

Relating to the offense of paying or receiving certain forms of compensation for facilitating the registration of voters; providing criminal penalties.

HB 318 Alonzo

Relating to date of primary elections.

HB 369 Hochberg

Verification of certain information submitted in a voter registration application.

HB 174 Jackson, Jim

Relating to the cancellation of the voter registration and to the eligibility to vote of persons who are deceased or not citizens of the United States.

HB 304 Pena

Relating to limiting the amount of assistance a person may provide a voter; providing a civil penalty.

HB 318 Alonzo

Relating to primary election date.

HB 369 Hochberg

Procedures concerning verification of information in a voter registration application.

HB 416 Anchia

Provides for voter registration at a polling place during early voting.

HB 418 Berman

Requiring certain candidates to pay a filing fee or file a petition as a qualification to appear on the ballot for the general election for state and county officers.

HB 589 Guillen

Relating to the authority of a county elections administrator to engage in certain political activity.

HB 631 Chisum

Processing early voting ballots before election day.

HB 638 Branch | et al.

Relating to the elimination of straight-party voting.

HB 715 Hochberg

Relating to automatic voter registration on issuance or change of a driver's license or ID card by the DPS.

HB 804 Lewis

Relating to the offense of illegal voting by a person who is not a United States citizen.

HB 926 Harper-Brown | et al.

Relating to the use of information from the DPS verification system for voter registration purposes.

Voter Registration & Elections continued

HB 1005 Hopson

Regarding accepting a voter at a polling place.

HB 1074 Vo

Relating to the hours during which the polls are open for early voting by personal appearance.

HB 1081 Gallego

Relating to reports and complaints filed with the Texas Ethics Commission.

HB 1084 Lewis

Relating to creation of the offense of registering to vote by persons who are not citizens of the United States.

HB 1100 Farias

Correction of voter records following a change of address submitted to the United States Postal Service.

HB 1269 Murphy | et al.

Requiring volunteer deputy voter registrars to be registered voters.

HB 1270 Murphy | et al.

Requiring volunteer deputy voter registrars to be residents of Texas for no less than six months.

HB 1306 Sheffield

To not allow certain ex-felons to be volunteer deputy voter registrars.

HB 1338 Smith, Todd

Requiring voters to provide proof of citizenship when registering to vote after September 2011.

HB 1533 Eiland

Voter registration encrypted in DL by DPS. Election day registration and voting.

HB 1570 Murphy

Mandatory training for deputy voter registrars.

HB 1596 Isaac

Acceptable documentation for voting ID; eliminates use of utility bill, bank statement, government check, paycheck or other government document showing name and address of the voter.

HB 1678 Burkett

Provides for county commissioners to appoint election administrator rather than election board.

HB 1725 Hernandez Luna

Increases maximum number registered voters in county election precinct from 5,000 to 10,000.

HB 1895 Farias

Conduct of early voting on weekends in general and primary elections.

HB 1925 Zedler

Relating to voter registration; creating an offense.

HB 1926 Zedler

Relating to administration of elections.

HB 1976 King, Phil

Relating to voting in the precinct of former residence.

HB 1977 King, Phil

Requiring voters to sign signature roster at polls.

HB 1978 King, Phil

Relating to requiring a voter who is on the suspense list of voters to cast a provisional ballot.

HB 2050 Pena | et al.

Relating to the use of recording devices and mobile telephones by poll watchers.

HB 2052 Pena | et al.

Relating to the reporting of certain information to county voter registrars by the secretary of state.

HB 2054 Pena | et al

Relating to the eligibility requirements for appointment as county elections administrator.

HB 2055 Pena | et al.

Relating to allowing for countywide polling places as an alternative election system.

HB 2059 Pena | et al.

Relating to the penalty for failing to deliver a voter registration application to the voter registrar.

HB 2190 Elkins

Relating to the deadline by which provisional ballots must be processed for certain elections.

HB 2194 Taylor, Larry

Relating to the conduct and administration of elections.

HB 2274 Eiland

Relating to requiring a municipality to pay for the expenses of an election contest for a person elected to the governing body of the municipality.

HB 2298 Walle

Relating to the hours during which the polls are open for early voting.

HB 2391 Davis, Sarah

Training for volunteer deputy voter registrars.

HB 2477 Harless

Relating to the provision of bilingual election materials.

HB 2487 Murphy

Relating to the residence address at which a person is registered to vote.

**This Session, if you're not at the table,
you may be on the menu!**
TAR Realtors Jan. 2011

Voter Registration & Elections continued

HB 2512 Dutton

Relating to the maintenance of a list of voters whose registrations have been recently canceled.

HB 2586 Pena

Relating to the penalty for making a false statement on a voter registration application.

HB 2589 Pena

Relating to delivery of a voter registration application to the registrar by a volunteer deputy registrar.

HB 2590 Pena

Relating to reporting certain information to county voter registrars and to DPS and to the cancellation of a driver's license based on that information.

HB 2601 Nash

Relating to the removal of political signs from private property; providing a penalty.

HB 2606 Nash

Relating to permissible political expenditures by a corporation or labor organization.

HB 2752 Martinez Fischer

Relating to the removal of a political party's county chair.

HB 2814 Hochberg

Relating to electronic voter registration.

HB 2817 Taylor, Larry

Relating to certain election practices and procedures.

HB 2875 Davis, Sarah

Relating to election practices and procedures pertaining to voters not included on the poll list.

HB 3057 Pena

Distribution of voter registration applications by volunteer deputy registrars; creating an offense.

HB 3072 Veasey

Requiring photo ID for poll watchers.

HB 3082 Isaac

Location of certain mobile voting stations.

HB 3113 Pena

Offense for acting falsely as volunteer deputy registrar.

HB 3160 Taylor, Van

Relating to the verification of citizenship of an applicant for voter registration.

HB 3224 Hernandez Luna

Date by which a voter's registration becomes effective.

HB 3270 Veasey

Relating to the list of candidates compiled by a state or county party chair for a primary election.

HB 3447 Aliseda

Relating to the notice provided to certain officials of the participation of unregistered voters in an election.

HB 3464 Aliseda

Relating to the penalty for making a false statement on a voter registration application.

HB 3521 Aliseda

Relating to termination of a volunteer deputy registrar for the submission of an incomplete voter application.

HB 3594 Aliseda

Relating to the termination of a volunteer deputy registrar for the submission of late or incomplete applications for voter registration.

SB 14 Fraser | et al.

Relating to requirements to vote, including presenting proof of identification.

SB 139 Wentworth

Referred to State Affairs. Relating to the elimination of straight-party voting.

SB 210 Ellis

Designating certain election days as state holidays.

SB 211 Ellis

Registering voters at polling place during early voting by personal appearance.

SB 212 Ellis

Relating to deceptive or disenfranchising practices during an election; providing criminal penalties.

SB 213 Ellis

Relating to the registration of voters at a polling place and related procedures.

SB 214 Ellis

Early voting by mail by any qualified voter.

SB 215 Ellis

Date voters may be removed from voter registration list.

SB 216 Ellis

Procedures to place voter on suspense list.

SB 384 Harris

Relating to the cancellation of the voter registrations of persons who are not United States citizens.

SB 1128 Jackson

Relating to the conduct and administration of elections.

**Track bills, committees and
Capitol activities 24 / 7 at
www.capitol.state.tx.us**

Participating in the Process

Identify Your Purpose

- Monitoring to observe and learn?
- Monitoring to participate?
- Actively participate and have bills filed?

If Wish to Participate

- Identify laws that affect your issue
- Identify which legislative committees those laws move through.
- Go online www.capitol.state.tx.us and sign up for bill and committee alerts then review bills and track their movement, provide input through calls, faxes, emails, personal testimony, letters to the editor, etc.

Communication at the Capitol

- Be professional The Capitol is a building of dignity and honor. Business attire is the norm.
- Be precise Provide only what is necessary.
- Be passionate Show you care, explain the benefit of your proposal.
- Be prompt Even early...never late.
- Be persuasive Do your homework and confidently state issues.

Activities at the Capitol

- Visit legislator and committee staffs
- Attend committee meetings and testify in hearings
- Communicate your issue to others

Legislative Testimony

- Keep it general and simple and stick to the facts
- Use a real life story if at all possible
- Provide a written statement *but don't read it!*
- Attend committee hearings to see how the process works for that particular committee
- Know when to keep quiet and confine your remarks to the question asked
- BIG RULE—If you don't know, say so but get back with the information
- Do not interrupt, be argumentative, get angry, try to bluff or contradict

Important Dates for 2011

March 21	Deadline for write-in candidates to file declaration of candidacy
April 14	Last day to register to vote or change address for May 14 elections
May 2	First day of early voting
May 10	Last day of early voting
May 14	Election Day
May 30	Last Day of Session
November 8	Uniform Election Day Constitutional Amendments and some local races