

- SUBJECT:** Revising eligibility criteria for service on an appraisal review board
- COMMITTEE:** Ways and Means — favorable, without amendment
- VOTE:** 5 ayes — Hilderbran, Bohac, Button, N. Gonzalez, Strama
0 nays
4 absent — Otto, Eiland, Martinez Fischer, Ritter
- WITNESSES:** For — (*Registered, but did not testify:* Jim Robinson, Texas Association of Appraisal Districts)
Against — None
On — Debbie Cartwright, Office of the Comptroller
- BACKGROUND:** Appraisal review boards are charged with resolving property valuation disputes between taxpayers and an appraisal district. Under Tax Code, sec. 6.412(d), a person cannot serve on an appraisal review board of an appraisal district in a county with a population greater than 100,000 if that person has served for all or part of three previous terms as a board member or auxiliary board member.

In a county with a population of 100,000 or fewer, a person who has served for all or part of three consecutive terms as a board member or an auxiliary board member is ineligible to serve a fourth consecutive term.
- DIGEST:** HB 326 would allow a person who served all or part of three consecutive terms as a member of an appraisal review board for an appraisal district to serve another term, as long as the person did not serve a consecutive fourth term.

The bill would take immediate effect if it finally passed by a two-thirds record vote by the membership of each house. Otherwise, it would take effect September 1, 2013.

**SUPPORTERS
SAY:**

HB 326 would ease term restrictions for appraisal review board members in counties with populations of more than 100,000. Currently, appraisal review board members in these larger counties are limited to serving three terms. Many appraisal boards have difficulty finding qualified candidates to fill vacant slots, and the unnecessary limit bars experienced members from continuing to apply their knowledge and expertise to review board proceedings.

The bill would extend to the 39 counties with a population greater than 100,000 the restrictions that now apply to smaller counties. In these smaller counties, appraisal review board members may serve for no more than three consecutive terms. They may serve three consecutive terms, take off one term, and then return to serve again. This restriction strikes a balance between retaining experienced board members and guarding against entrenchment.

Claims that removing these limits could lead to a loss of impartiality are exaggerated. Experience is more likely to lead to greater independence than to institutionalization, as knowledgeable and versed appraisal review board members are more likely to be confident in their ability to assess property independent of the appraisal district.

**OPPONENTS
SAY:**

HB 326 unnecessarily would roll back current limits on how many terms a person could serve on an appraisal review board in the state's more populous counties. Populous counties do not have the same difficulty finding qualified applicants that small counties encounter.

Board members who serve too many terms can become entrenched and unresponsive to taxpayer appeals of property valuation. Board members and auxiliary board members should be impartial arbitrators of the arguments and claims of both taxpayers and appraisal districts. This could be jeopardized by easing term limit restrictions.

NOTES:

In 2011, an identical bill, HB 975 by Dutton, passed the House but was left pending in the Senate Intergovernmental Relations Committee.