

BILL ANALYSIS

Senate Research Center
78R1224 RCJ-D

C.S.S.B. 173
By: Nelson
Veteran Affairs & Military Installations
3-17-2003
Committee Report (Substituted)

DIGEST AND PURPOSE

Currently, Texas law provides a 60-day grace period for members of the armed forces serving in the Persian Gulf to pay their property tax bill without penalty. This does not cover those serving during hostilities in other areas of the world. C.S.S.B. 173 expands the eligibility for the 60-day grace period to any person on active duty in the United States armed forces during a war or national emergency.

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 Sections 31.02(b), (c), (f), and (g), Tax Code, as follows:

- (b) Authorizes a person on active duty in the United States armed forces during a war or national emergency declared in accordance with federal law, rather than during hostilities in the Persian Gulf, to pay delinquent property taxes without penalty or interest, by the 60th day after the date on which the earliest of certain events occurs, including the ending of the war or national emergency.
- (c) Redefines "eligible person."
- (f) Provides this section is applicable to the property in which the person eligible for exemption owned an interest on the date the person was transferred out of this state as described by Subsection (c) rather than before January 1, 1999, or in which the person acquired the interest by gift, devise, or inheritance after that date.
- (g) Defines active military duty for the purposes of this section. Makes a conforming change.

SECTION 2. Repealer: Section 31.02(h), Tax Code (regarding Delinquency Date).

SECTION 3. Provides that this Act applies to penalties and interest on delinquent taxes if the taxes are paid on or after the effective date of this Act, even of the penalties or interest accrued before the effective date of this Act.

SECTION 4. Effective date: upon passage or September 1, 2003.

SUMMARY OF COMMITTEE CHANGES

Differs from the original in SECTION 1 by deleting text referring to the governor issuing a proclamation, by removing proposed text that addressed the possibility of an additional war or national emergency occurring before the governor's proclamation, and by defining active military duty.