

## BILL ANALYSIS

Senate Research Center

S.B. 1343  
By: Van de Putte  
Finance  
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As Filed

### AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

Texas military reservists and members of the Texas Guard often face financial hardship when activated for long deployments in support of a national emergency. Military reservists and members of the Texas Guard establish their family budgets based on their civilian sector job income. When these service members are activated, one of the many significant challenges these families face involves adjusting to the loss of pay when switching from their civilian job to federal military pay, which is often less. This problem is exacerbated when the family has fixed expenditures like a home mortgage, car payments, or college tuition costs for their children.

While Texas has committed to make up this pay differential for state employees, it has provided little support to activated reservists that are employed by the private sector.

S.B. 1343 reconciles this by offering reservists and Texas Guard members an additional \$20,000 property tax exemption for the duration of their activation to federal military service, a period that usually lasts between one and two years.

### 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 11.13(c) and (m), Tax Code, as follows:

(c) Provides that, in addition to the exemption provided by Subsection (b) of this section, an adult who is a member of the Texas military forces or who is a reservist of the armed forces of the United States as defined in this section is entitled to an exemption from taxation by a school district of \$20,000 of the appraised value of a qualified residence homestead during the period of time that the person is in active duty during a national emergency as provided in this section and Section 11.43(1) of this code.

(m) Defines "member of the Texas military forces," "reservist of the armed forces of the United States," "active duty," and "national emergency."

SECTION 2. Amends Section 11.43, Tax Code, by adding Subsection (l), as follows:

(l) Requires a person, to receive an exemption provided by Section 11.13(c)(2) of this code, to be in active duty as a result of the declaration of a national emergency on January 1 of the year for which the exemption is claimed. Requires the person, before May 1 of the year for which the exemption is claimed, to file an affidavit, as a supplement to the application required by Subsection (a) of this section, along with a copy of official documents evidencing the person's active duty, with the chief appraiser of the appraisal district in which the residence homestead is located. Requires a separate affidavit and accompanying documents, for property appraised by more than one appraisal district, to be filed in each appraisal district to receive the exemption. Provides that an exemption under this subsection, once allowed, need not be claimed in subsequent years and applies to the property until the person's qualification for the exemption ends. Authorizes the chief appraiser, however, to require the filing of a new affidavit to confirm the person's qualifications by delivering, not later than April 1, a written notice that a new

affidavit is required, to the person previously allowed the exemption. Requires the affidavit, sworn to before a notary public or other person authorized to administer oaths in this state, to be in a specific form.

SECTION 3. Amends Section 11.431, Tax Code, by adding Subsection (c), to require the chief appraiser to accept and approve an affidavit for an additional residence homestead exemption for persons who qualify under Section 11.13(c)(2) of this code after the deadline for filing if [sic] has passed if it is filed not later than one year after the delinquency date for the taxes on the homestead.

SECTION 4. Provides that this Act takes effect September 1, 2005 and makes application of this Act retroactive to January 1, 2005.