

BILL ANALYSIS

Senate Research Center
87R20821 LHC-D

H.B. 1090
By: Bailes et al. (Nichols)
Local Government
5/20/2021
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Currently, when taxable real property is erroneously omitted from the appraisal roll, the chief appraiser has a five-year window in which to discover and fix the omission. When this happens, back taxes, penalties, and interest are added, which can cause extreme financial burden for the taxpayer. It has been suggested that shortening the window in which the chief appraiser may look back on prior appraisal rolls and assess back taxes would help to ease this financial burden. H.B. 1090 seeks to shorten this window to three years, which aligns with the requirement to reappraise property at least once every three years.

H.B. 1090 amends current law relating to the appraisal for ad valorem tax purposes of real property that was erroneously omitted from an appraisal roll in a previous year.

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 25.21(a), Tax Code, to require the chief appraiser, if the chief appraiser discovers that real property was omitted from an appraisal roll in any one of the three preceding tax years, rather than in any one of the five preceding years, or that personal property was omitted from an appraisal roll in one of the two preceding tax years, rather than in one of the two preceding years, to appraise the property as of January 1 of each tax year, rather than January 1 of each year, that it was omitted and enter the property and its appraised value in the appraisal records. Makes a nonsubstantive change.

SECTION 2. Effective date: September 1, 2021.