

# Table of Contents

## Volume 21

### PART I. TAXATION OF PROPERTY

#### CHAPTER 1. BASICS

- § 3 Fundamental principles
- § 4 All property taxable—Constitutional requirement
- § 5 Exceptions
- § 6 Applicable law
- § 8 Construction
- § 9 Property tax definitions
- § 12 Delivery of notice
- § 13 Timeliness of action by mail
- § 16 Fiduciary
- § 17 Agent
- § 18 Median level of appraisal

#### CHAPTER 2. COMPTROLLER

- § 41 State comptroller
- § 42 Biennial reports
- § 43 Ratio studies
- § 44 Technical advisory committee *[Deleted]*
- § 45 Noncompliance by appraisal district

#### CHAPTER 3. AGENTS

- § 61 Registration of property tax consultants
- § 62 Certificate of registration
- § 63 Enforcement

#### CHAPTER 4. APPRAISAL DISTRICTS

- § 71 Establishment
- § 72 Boundaries
- § 74 Board of directors
- § 78 Restrictions on officers
- § 83 Budget and financing
- § 85 Publication of budget
- § 87 Designation of district depository
- § 88 Competitive bidding requirement
- § 91 District records
- § 92 Chief appraiser
- § 92.50 General counsel *[New]*

- § 93 Taxpayer liaison officer
- § 94 Agricultural appraisal advisory board

## **CHAPTER 5. ASSESSORS AND COLLECTORS**

- § 113 Duties
- § 114 Contracts for assessment and collection
- § 116 Compensation for assessment and collection
- § 117 Bonds for state and county taxes
- § 119 Attorneys representing taxing units

## **CHAPTER 6. APPRAISAL REVIEW BOARD**

- § 131 Appraisal review board
- § 132 Ex parte communications [*Retitled*]
- § 133 Restrictions on eligibility of board members
- § 134 Interest in certain contracts prohibited
- § 135 Organization, meetings, and compensation
- § 136 Personnel
- § 137 Removal of board members [*New*]

## **PART II. EXEMPTIONS**

### **CHAPTER 7. FEDERAL LAW**

- § 151 Fundamental principles
- § 152 Equal protection
- § 153 Due process
- § 154 Procedural due process
- § 160 Interstate commerce—Goods
- § 166 Interstate commerce—Instrumentalities—Equipment—Airplanes
- § 167 Interstate commerce—Instrumentalities—Equipment—Interstate pipelines
- § 168 Housing
- § 169 Impairment of contracts
- § 170 Miscellaneous
- § 171 Summary

### **CHAPTER 8. ABSOLUTE EXEMPTIONS**

- § 191 Fundamental principles
- § 192 Rule of strict construction
- § 194 Applicable law
- § 195 Real property
- § 198 Public ownership or use—Generally
- § 199 Public ownership or use—Municipally owned
- § 200 Public ownership or use—Public property used for public purposes
- § 201 Public ownership or use—Property of counties, cities and towns
- § 202 Public ownership or use—Property devoted exclusively to the use and benefit of the public
- § 205 Personal property homestead

## TABLE OF CONTENTS

- § 206 Tangible personal property not producing income
- § 208 Farm products
- § 209 Implements of husbandry
- § 211 Charities—In general
- § 212 Charities—Clubs
- § 215 Charities—Homes
- § 216 Charities—Hospitals
- § 219 Religious organizations
- § 220 Schools
- § 221 Disabled veterans
- § 224 Freeport goods
- § 225 Solar and wind powered energy devices
- § 231 Pollution control
- § 232 Water conservation initiative
- § 234 Medical or biomedical products *[New]*
- § 235 Child-care facilities *[New]*

## **CHAPTER 9. HOMESTEADS**

- § 251 Residence homesteads
- § 253 County tax gap
- § 254 School tax exemption by constitution
- § 255 School tax exemption by tax code
- § 257 All tax units—All homesteads

## **CHAPTER 10. ADMINISTRATION OF EXEMPTIONS**

- § 281 Applicable law
- § 282 Date of qualification
- § 283 Notice to taxpayers
- § 284 Application for exemption
- § 285 Manufactured home
- § 287 Late applications
- § 289 Action on application

## **CHAPTER 11. SITUS**

- § 315 Situs of personal property
- § 317 Property location or acquired situs
- § 318 Owner's location or domicile
- § 320 Goods, wares, ores and merchandise
- § 321 Interstate allocation
- § 322 Vessels and watercraft
- § 324 Aircraft
- § 325 Federal law
- § 326 Change of situs

## **PART III. APPRAISALS**

### **CHAPTER 12. RENDITIONS**

- § 362 Duty

- § 364 Exemption termination
- § 366 Bailee, lessee or other possessor
- § 369 Inspection of property
- § 372 Filing date
- § 373 Comptroller's forms
- § 375 Description of property
- § 377 Confidential information
- § 382 Failure to render
- § 384 Report by political subdivision

### **CHAPTER 13. VALUE**

- § 412 Market value
- § 414 Income method
- § 415 Market data method
- § 416 Appraised value
- § 420 Natural disasters
- § 422 Tax date
- § 424 Inventories
- § 425 Taxable leaseholds
- § 429 Savings and loan association
- § 431 Oil and gas interest
- § 434 Waiver
- § 435 Housing
- § 436 Government restriction
- § 437 Homestead tax value
- § 438 Furniture, fixtures, and equipment
- § 440 Arbitrary valuation
- § 441 Discriminatory valuation

### **CHAPTER 14. AGRICULTURAL LAND**

- § 461 Constitutional authority
- § 462 Designated land
- § 464 Action on application
- § 465 Rollback tax
- § 466 Open-space land
- § 467 Owner's application
- § 468 Action on application
- § 469 Rollback tax

### **CHAPTER 15. TIMBER LAND**

- § 492 Definitions
- § 493 Qualification for productivity appraisal
- § 494 Appraisal of qualified timber land
- § 495 Capitalization rate
- § 496 Application
- § 497 Change of use of land
- § 500 Action on applications

### **CHAPTER 16. RESTRICTED LAND**

- § 522 Voluntary restrictions

TABLE OF CONTENTS

- § 524 Application
- § 525 Action on application
- § 526 Additional taxation for preceding years
- § 527 Penalty for violating deed restriction
- § 528 Airports

**CHAPTER 17. SUPPLEMENTAL EXEMPTIONS**

- § 542 Natural beauty, history, or topography
- § 543 Wildlife habitat
- § 544 Streamside

**CHAPTER 18. SCHOOL SYSTEM**

- § 562 State constitution
- § 563 Efficient school system
- § 564 General diffusion of knowledge

**CHAPTER 19. LOCAL APPRAISAL—ASSESSMENT**

- § 577 Form and content of appraisal records
- § 578 Owner's name and address
- § 581 Real property
- § 585 Tax lien
- § 587 Value
- § 588 Separate estates or interests
- § 591 Property encumbered by a possessory or security interest
- § 592 Leasehold and other possessory interests in exempt property
- § 593 Improvements
- § 597 Mineral interests
- § 602 Property overlapping taxing unit boundaries
- § 603 Periodic reappraisal
- § 604 Notice of appraised value
- § 606 Inspection of appraisal records by property owner
- § 608 Omitted property
- § 609 Submission for review and protest
- § 612 Correction of appraisal roll

**CHAPTER 20. ASSESSMENT AND LEVY**

- § 652 Submission of rolls to taxing units
- § 653 Definitions
- § 657 Tax rates
- § 658 Submission of roll to governing body
- § 660 Special tax rates
- § 661 Tax rate adoption
- § 662 Notice, hearing, and vote on tax increase
- § 663 Election to repeal increase
- § 666 Calculation of tax
- § 668 Acquisition proration
- § 669 New taxing units

§ 672 Correction of tax roll

## **PART IV. COLLECTIONS AND DELINQUENCY**

### **CHAPTER 21. COLLECTIONS**

- § 692 Tax bills
- § 693 Delinquency date
- § 694 Split payment
- § 695 Installment payment
- § 697 Medium of payment
- § 698 Tender
- § 700 Conditional payments
- § 701 Escrow accounts
- § 702 Receipts
- § 703 Certificates
- § 706 Refunds of overpayments or erroneous payments
- § 707 Interest on refunds

### **CHAPTER 22. TAX LIENS AND PERSONAL LIABILITY**

- § 732 Tax lien on manufactured home
- § 734 Restrictions on a personal property tax lien
- § 735 Lien priorities
- § 736 Transfer of tax lien
- § 737 Personal liability for tax

### **CHAPTER 23. DELINQUENCY—IN GENERAL**

- § 801 Penalties and interest
- § 802 Waiver of penalties and interest
- § 804 Delinquent tax roll
- § 805 Notice of delinquency
- § 807 Deferred collection from the elderly
- § 809 Additional penalty for collection costs
- § 810 Restrictions or conditions on payment of taxes *[New]*

### **CHAPTER 24. SEIZURE OF PERSONAL PROPERTY**

- § 823 Property subject to seizure
- § 824 Institution of seizure

### **CHAPTER 25. DELINQUENT TAX SUITS**

- § 841 Fundamental principles
- § 843 Suit to collect delinquent tax
- § 844 Taxes included in foreclosure suit
- § 845 Petition
- § 846 Joinder of other taxing units

## TABLE OF CONTENTS

- § 847 Citation
- § 849 Defenses—In general
- § 850 Defenses—Nonownership
- § 851 Defenses—Exemption
- § 852 Defenses—Payment
- § 854 Defenses—Value
- § 856 Defenses—Counterclaim or setoff
- § 857 Defenses—Failure to give notice
- § 858 Partition of real property
- § 859 Tax records as evidence
- § 861 Judgment—Summary judgment
- § 862 Judgment—Personal judgment
- § 863 Judgment—Lien foreclosure
- § 865 Recovery of costs and expenses
- § 866 Liability of taxing unit for costs
- § 867 Adjudged value
- § 868 Writ of possession
- § 871 Limitations on actions relating to property sold for taxes
- § 872 Effect of judgment on accrual of penalties and interest
- § 873 Vacation of judgment
- § 875 Masters
- § 876 Seizure of real property

## Volume 21A

### CHAPTER 26. TAX SALES

- § 901 Sale of property
- § 902 Distribution of proceeds
- § 903 Disposition of excess proceeds
- § 904 Claims for excess proceeds
- § 905 Resale by taxing unit
- § 908 Challenge to validity of tax sale

### CHAPTER 27. REDEMPTION

- § 931 Right of redemption
- § 932 Evidence of title to redeem real property
- § 932.50 Presumption as to effectiveness of act of redemption *[New]*
- § 933 Distribution of redemption proceeds

## PART V. EQUALIZATION AND ADMINISTRATIVE REMEDIES

### CHAPTER 28. DUE PROCESS AND PRIOR LAW

- § 951 Fundamental principles
- § 953 Notice—In general
- § 955 Notice—Raise in value
- § 959 Protest

- § 960 Hearing—In general
- § 969 Hearing—Agreement or announcement
- § 973 Compensation

## **CHAPTER 29. REVIEW OF APPRAISAL RECORDS**

- § 1093 Scope of review
- § 1095 Challenge by taxing unit
- § 1101 Clerical errors
- § 1103 Notice to property owner of change in records

## **CHAPTER 30. TAXPAYER PROTESTS**

- § 1121 Protest procedures
- § 1122 Right of protest
- § 1123 Protest of failure to give notice
- § 1124 Grantees and lessees
- § 1126 Protest of inequality of appraisal
- § 1127 Notice of protest
- § 1129 Hearing on protest
- § 1130 Notice of protest hearing

## **CHAPTER 31. HEARINGS**

- § 1147 Hearing procedure
- § 1148 Evidence
- § 1149 Record of proceedings
- § 1150 Conflict of interest
- § 1151 Public notice of protest and appeal procedures

## **PART VI. JUDICIAL REVIEW**

### **CHAPTER 32. APPEALS**

- § 1162 Right of appeal by property owner
- § 1163 Right of appeal by chief appraiser
- § 1164 Right of appeal by taxing unit
- § 1164.50 Intervention *[New]*
- § 1165 Comptroller as party
- § 1166 Notice of appeal
- § 1167 Waiver
- § 1168 Costs of appeal
- § 1169 Forfeiture of remedy
- § 1170 Remedies exclusive

### **CHAPTER 32A. FINAL ARBITRATION** *[New]*

- § 1171 Appeal to arbitrator
- § 1172 Owner's optional remedy
- § 1173 Central administration

TABLE OF CONTENTS

**CHAPTER 33. REVIEW BY DISTRICT COURT**

- § 1181 Review generally
- § 1182 Venue and petition
- § 1184 Arbitration
- § 1185 Scope of review
- § 1187 Remedy for excessive appraisal
- § 1188 Remedy for unequal appraisal
- § 1190 Attorney's fees

**CHAPTER 34. POST-APPEAL ADMINISTRATIVE PROCEDURES**

- § 1201 Correction of records
- § 1203 Refund

**PART VII. TAXPAYER SUITS**

**CHAPTER 36. MANDAMUS**

- § 1261 Fundamental principles
- § 1266 Defendants—Appraisers, assessors and collectors
- § 1273 State of Texas
- § 1281 Pleadings and proof—Exhaust remedy
- § 1291 Pleadings and proof—Agricultural designation
- § 1295 Attorney's fees

**CHAPTER 37. DECLARATORY JUDGMENT**

- § 1321 Fundamental principles
- § 1324 Exempt property
- § 1325 Invalid assessments
- § 1326 Invalid levy
- § 1327 Bond—Issuance
- § 1329 Actions after effective date of code
- § 1330 Attorney's fees

**CHAPTER 38. INJUNCTION**

- § 1351 Fundamental principles
- § 1357 Defendants—Tax assessors and collectors
- § 1359 Defendants—Mayors and city managers
- § 1374 Pleadings and proof—Exhaust administrative remedies
- § 1384 Pleadings and proof—Exempt property
- § 1385 Pleadings and proof—Seizure and sale
- § 1387 Rate adoption

**CHAPTER 39. REFUND OF TAXES PAID**

- § 1411 Fundamental principles
- § 1412 Applicable law
- § 1413 Voluntary payment
- § 1414 Illegal tax

§ 1416 Waiver of refund

**CHAPTER 40. CLASS ACTIONS *[New]***

§ 1441 Illegal plan

**Table of Laws and Rules**

**Table of Cases**

**Index**