

1-1 By: Bettencourt S.B. No. 1436
 1-2 (In the Senate - Filed March 10, 2021; March 18, 2021, read
 1-3 first time and referred to Committee on Local Government;
 1-4 April 27, 2021, reported favorably by the following vote: Yeas 8,
 1-5 Nays 0; April 27, 2021, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7 Bettencourt	X			
1-8 Menéndez			X	
1-9 Eckhardt	X			
1-10 Gutierrez	X			
1-11 Hall	X			
1-12 Nichols	X			
1-13 Paxton	X			
1-14 Springer	X			
1-15 Zaffirini	X			

1-17 A BILL TO BE ENTITLED
 1-18 AN ACT

1-19 relating to the appeal of a determination by the comptroller of
 1-20 public accounts of a protest of the comptroller's findings in a
 1-21 study of school district property values.

1-22 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-23 SECTION 1. Section 403.303(d), Government Code, is amended
 1-24 to read as follows:

1-25 (d) A protesting school district may appeal a determination
 1-26 of a protest by the comptroller to a district court of Travis County
 1-27 by filing a petition with the court. An owner of property subject
 1-28 to the determination of the protest may, with the written approval
 1-29 of the protesting school district, join the school district as a
 1-30 party to the appeal. An appeal must be filed not later than the 30th
 1-31 day after the date the school district receives notification of a
 1-32 final decision on a protest. ~~The [Review is conducted by the]~~ court
 1-33 shall review de novo the comptroller's determination of the protest
 1-34 sitting without a jury. The court shall order specific changes to
 1-35 the property value study [remand the determination to the
 1-36 comptroller] if on the review the court determines [discovers that
 1-37 substantial rights of the school district have been prejudiced,
 1-38 and] that:

1-39 (1) the comptroller has acted arbitrarily and without
 1-40 regard to the facts; or

1-41 (2) the finding of the comptroller is not reasonably
 1-42 supported by a preponderance of the [substantial] evidence
 1-43 introduced before the court at the hearing.

1-44 SECTION 2. The change in law made by this Act applies to an
 1-45 appeal of a determination by the comptroller of public accounts of a
 1-46 protest of the comptroller's findings in a study of school district
 1-47 property values that is pending on the effective date of this Act or
 1-48 is filed on or after the effective date of this Act.

1-49 SECTION 3. This Act takes effect January 1, 2022.

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