

1-1 By: Bettencourt S.B. No. 1449
1-2 (In the Senate - Filed February 19, 2025; March 6, 2025,
1-3 read first time and referred to Committee on Local Government;
1-4 April 22, 2025, reported adversely, with favorable Committee
1-5 Substitute by the following vote: Yeas 5, Nays 2; April 22, 2025,
1-6 sent to printer.)

1-7	COMMITTEE VOTE				
1-8		Yea	Nay	Absent	PNV
1-9	Bettencourt	X			
1-10	Middleton	X			
1-11	Cook		X		
1-12	Gutierrez	X			
1-13	Nichols	X			
1-14	Paxton	X			
1-15	West		X		

1-16 COMMITTEE SUBSTITUTE FOR S.B. No. 1449 By: Bettencourt

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

1-19 relating to the effect of a disaster and associated costs to remove
1-20 debris or wreckage on the calculation of certain tax rates and the
1-21 procedure for adoption of a tax rate by a taxing unit.

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

1-23 SECTION 1. Section 26.042, Tax Code, is amended by amending
1-24 Subsections (a), (f), and (g) and adding Subsections (a-1), (a-2),
1-25 and (a-3) to read as follows:

1-26 (a) Notwithstanding Sections 26.04 and 26.041, the
1-27 governing body of a taxing unit other than a school district or a
1-28 special taxing unit may direct the designated officer or employee
1-29 to calculate the voter-approval tax rate of the taxing unit in the
1-30 manner provided by Subsection (a-2) or (a-3), as applicable, ~~for a~~
1-31 ~~special taxing unit~~ if any part of the taxing unit is located in an
1-32 area declared a disaster area during the current tax year by the
1-33 governor or by the president of the United States and at least one
1-34 person is granted an exemption under Section 11.35 for property
1-35 located in the taxing unit. The designated officer or employee
1-36 shall continue calculating the voter-approval tax rate in the
1-37 manner provided by this subsection until the earlier of:

1-38 (1) the first tax year in which the total taxable value
1-39 of property taxable by the taxing unit as shown on the appraisal
1-40 roll for the taxing unit submitted by the assessor for the taxing
1-41 unit to the governing body exceeds the total taxable value of
1-42 property taxable by the taxing unit on January 1 of the tax year in
1-43 which the disaster occurred; or

1-44 (2) the third tax year after the tax year in which the
1-45 disaster occurred.

1-46 (a-1) In this section:

1-47 (1) "Disaster debris cost" means a taxing unit's share
1-48 of the cost to remove debris or wreckage in the taxing unit as
1-49 determined by an estimate made under 42 U.S.C. Section 5173.

1-50 (2) "Disaster debris rate" means a rate expressed in
1-51 dollars per \$100 of taxable value and calculated according to the
1-52 following formula:

1-53
$$\text{DISASTER DEBRIS RATE} = (\text{DISASTER DEBRIS COST}) / (\text{CURRENT}$$

1-54
$$\text{TOTAL VALUE} - \text{NEW PROPERTY VALUE})$$

1-55 (a-2) This subsection applies only to a taxing unit that is
1-56 wholly or partly located in an area declared a disaster area by the
1-57 president of the United States and for which an estimate has been
1-58 made under 42 U.S.C. Section 5173 relating to the cost to remove
1-59 debris or wreckage in the taxing unit. For a taxing unit to which
1-60 this subsection applies, the voter-approval tax rate the governing

body of the taxing unit may direct the designated officer or employee to calculate under Subsection (a) is equal to the lesser of:

(1) the voter-approval tax rate calculated in the manner provided for a special taxing unit; or

(2) the voter-approval tax rate calculated according to the following formula:

VOTER-APPROVAL TAX RATE = (NO-NEW-REVENUE MAINTENANCE AND OPERATIONS RATE X 1.035) + (CURRENT DEBT RATE + UNUSED INCREMENT RATE + DISASTER DEBRIS RATE)

(a-3) For a taxing unit to which Subsection (a) applies but Subsection (a-2) does not apply, the governing body of the taxing unit may direct the designated officer or employee to calculate the voter-approval tax rate in the manner provided for a special taxing unit.

(f) If a taxing unit adopts a tax rate under Subsection ~~[(d) or]~~ (e), the amount by which that rate exceeds the taxing unit's voter-approval tax rate for that tax year may not be considered when calculating the taxing unit's voter-approval tax rate for the tax year following the year in which the taxing unit adopts the rate.

(g) A taxing unit that in a tax year elects to calculate the taxing unit's voter-approval tax rate under Subsection (a) or adopt a tax rate that exceeds the taxing unit's voter-approval tax rate for that tax year without holding an election under Subsection ~~[(d) or]~~ (e) must specify the disaster declaration that provides the basis for authorizing the taxing unit to calculate or adopt a tax rate under the applicable subsection. A taxing unit that in a tax year specifies a disaster declaration as providing the basis for authorizing the taxing unit to calculate or adopt a tax rate under Subsection (a) ~~[(d)]~~ or (e) may not in a subsequent tax year specify the same disaster declaration as providing the basis for authorizing the taxing unit to calculate or adopt a tax rate under one of those subsections if in an intervening tax year the taxing unit specifies a different disaster declaration as the basis for authorizing the taxing unit to calculate or adopt a tax rate under one of those subsections.

SECTION 2. Section 26.042(d), Tax Code, is repealed.

SECTION 3. The change in law made by this Act applies only to an ad valorem tax year that begins on or after the effective date of this Act.

SECTION 4. This Act takes effect January 1, 2026.

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