

By: Turner of Tarrant

H.J.R. No. 62

A JOINT RESOLUTION

1 proposing a constitutional amendment authorizing the legislature  
2 to provide for an exemption from ad valorem taxation of all or part  
3 of the market value of the residence homestead of the surviving  
4 spouse of a member of the armed services of the United States who is  
5 killed in action.

6 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

7 SECTION 1. Section 1-b, Article VIII, Texas Constitution,  
8 is amended by adding Subsections (l) and (m) to read as follows:

9 (1) The legislature by general law may provide that the  
10 surviving spouse of a member of the armed services of the United  
11 States who is killed in action is entitled to an exemption from ad  
12 valorem taxation of all or part of the market value of the surviving  
13 spouse's residence homestead if:

14 (1) the surviving spouse has not remarried since the  
15 death of the member of the armed services; and

16 (2) the property was the residence homestead of the  
17 member of the armed services when the member died.

18 (m) The legislature by general law may provide that if a  
19 surviving spouse who qualifies for an exemption in accordance with  
20 Subsection (1) of this section subsequently qualifies a different  
21 property as the surviving spouse's residence homestead, the  
22 surviving spouse is entitled to an exemption from ad valorem  
23 taxation of the subsequently qualified homestead in an amount equal  
24 to the dollar amount of the exemption from ad valorem taxation of

1 the former homestead in accordance with Subsection (1) of this  
2 section in the last year in which the surviving spouse received an  
3 exemption in accordance with that subsection for that homestead if  
4 the surviving spouse has not remarried since the death of the member  
5 of the armed services.

6 SECTION 2. The following temporary provision is added to  
7 the Texas Constitution:

8 TEMPORARY PROVISION. (a) This temporary provision applies  
9 to the constitutional amendment proposed by the 83rd Legislature,  
10 Regular Session, 2013, authorizing the legislature to provide for  
11 an exemption from ad valorem taxation of all or part of the market  
12 value of the residence homestead of the surviving spouse of a member  
13 of the armed services of the United States who is killed in action.

14 (b) Sections 1-b(1) and (m), Article VIII, of this  
15 constitution take effect January 1, 2014, and apply only to a tax  
16 year beginning on or after that date.

17 (c) This temporary provision expires January 1, 2015.

18 SECTION 3. This proposed constitutional amendment shall be  
19 submitted to the voters at an election to be held November 5, 2013.  
20 The ballot shall be printed to permit voting for or against the  
21 proposition: "The constitutional amendment authorizing the  
22 legislature to provide for an exemption from ad valorem taxation of  
23 all or part of the market value of the residence homestead of the  
24 surviving spouse of a member of the armed services of the United  
25 States who is killed in action."