

Lavaca County Central Appraisal District

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2016 Annual Report

Introduction

The Lavaca County Central Appraisal District "LCCAD" is a political subdivision of the State of Texas created by the Texas Legislature in 1979. The operations of the district are governed by the Constitution of the State of Texas, the Texas Property Tax Code, and the rules of Texas Comptroller's Property Tax Assistance Division.

LCCAD is responsible for the appraisal of all property in Lavaca County for ad valorem purposes and the administration of all local option and State mandated property tax exemptions.

Mission

The mission of the Lavaca County Central Appraisal District is to discover, list and appraise all property located within the boundaries of the district in an accurate, ethical and impartial manner in an effort to estimate the market value of each property and achieve uniformity and equity. This will be accomplished by maintaining the highest standards in appraisal practices and law by developing personnel who are professional and knowledgeable and operate under the standards of:

- The Property Tax Assistance Division of the Texas Comptroller's Office (PTAD)
- The International Association of Assessing Officers (IAAO)
- The Uniform Standards of Professional Appraisal Practice (US PAP)

Governance

The Appraisal District operations are governed by the Board of Directors whose members are elected by the voting taxing units every two years. The Board's primary responsibilities are:

- Appoint the Chief Appraiser
- Adopt the District's annual operating budget
- Contract for necessary services; Complying with the competitive bidding requirement established by law.
- Appoint the Appraisal Review Board
- Adopt a Biennially written plan for the periodic reappraisal of all property within the District's boundaries
- Select a financial institution to deposit funds through bid solicitations
- Purchase or lease real property, as well as constructing improvements to establish the appraisal district office
- Make general policies on the appraisal district's operations

To be eligible to serve on the Board of Directors, a person must have resided within the boundaries of the county for at least two years prior to their appointment. Their terms are not staggered and there are no legal limits to the number of terms a board member can serve.

2016 Board of Directors include:

Steven Bludau - Chairman
Fred Hilshire - Vice Chairman
Debbie Cevcik – Secretary
Kenneth Henneke
Melvin Yanak
Ron Braeuer
Walt Hairell

The Chief Appraiser is the chief administrator of the appraisal district and is appointed by the Board of Directors. The Chief Appraiser must be licensed as a Registered Professional Appraiser (RPA) through the Texas Department of Licensing and Regulation.

The Appraisal Review Board (ARB) consists of five members appointed by the Board of Directors. Members of the ARB serve two-year staggered terms and are limited by law to serving three consecutive two-year terms. To be eligible to serve on the ARB, an individual must be a resident of the district and must have resided in the district for at least two years. Board members are also required to attend annual training classes to be eligible to serve in any given year.

The Appraisal Review Board responsibilities are:

- Determining protests initiated by property owners
- Determining challenges initiated by taxing units
- Correcting clerical errors in the appraisal records and the appraisal rolls
- Action on motions to correct appraisal rolls under section 25.25 of the Property Tax Code
- Determining whether exemptions and special appraisals are improperly granted and;
- Taking other actions or making other determinations authorized by the Property Tax Code

2016 Appraisal Review Board Members include

John Henke - Chairman
Anthony Maresh - Vice Chairman
Pat Hybner
David Berger
Mark Vaclavik
Jerry Tanner - Alternate

The Agricultural Advisory Board is a three member board appointed by the Chief Appraiser with the advice and consent of the Board of Directors. The responsibility of the Agricultural Advisory Board is to advise the Chief Appraiser on the valuation and use of land that may be designated for openspace agricultural valuation within the district's boundaries and to assist in determining typical practices and standards used in various farming operations. The board serves at the will of the Chief Appraiser.

2016 Agricultural Advisory Board Members include:

Mary Schroeder – Chairman
Randal Jacobs
Michael Hanslik

The District also invites the following to attend and offer their knowledge:

- o Chris Janak - Lavaca County National Resource Conversation Service
- o Shannon Deforest - Lavaca County Extension Agent
- o Texas Parks & Wildlife Biologist
- o Farm Service Agency representative

The Lavaca County Central Appraisal District is responsible for appraising all properties for each of the following Taxing Jurisdiction within the boundaries of Lavaca County:

<u>Taxing Unit</u>	<u>Market Value</u>	<u>Net Taxable</u>
*City of Hallettsville	\$230,043,220	\$138,694,769
*City of Moulton	\$50,331,685	\$39,948,064
*City of Shiner	\$233,099,985	\$190,410,331
*City of Yoakum	\$165,812,730	\$139,931,801
*Ezzell ISD	\$340,956,182	\$79,866,996
*Hallettsville ISD	\$1,799,159,063	\$695,792,477
*Moulton ISD	\$433,466,288	\$223,327,289
*Shiner ISD	\$709,323,046	\$458,284,801
*Sweet Home ISD	\$218,745,986	\$68,904,625
*Vysehrad ISD	\$160,232,806	\$55,161,645
*Weimar ISD	\$13,854,809	\$1,643,384
*Yoakum ISD	\$843,255,760	\$729,937,068
*Lavaca County	\$4,522,052,255	\$2,083,692,498
*Lavaca County Farm-Market Road	\$4,521,392,495	\$2,066,733,716
*Lavaca County Flood District	\$215,064,813	\$138,114,094
*Lavaca Hospital District	\$2,161,145,288	\$782,854,261
*Yoakum Hospital District	\$1,220,088,627	\$371,269,179
*Moulton Medical Clinic District	\$432,764,650	\$247,428,478

Property Types Appraised

For 2016 the Lavaca County Central Appraisal District has approximately

<u>State Code</u>	<u>Property Type</u>	<u>Count</u>	<u>Market Value</u>
A	Single Family Residence	11	\$429,169
A1	Real Residential, Single Family & Owner-Occ	4,387	\$356,423,220
A2	Real Residential, Mobile Home	590	\$14,349,960
A3	Real Residential, Aux Improvements	36	\$568,921
B1	Real Residential, Multifamily	24	\$4,091,271
B2	Real residential, Duplexes	42	\$5,024,098
C	Vacant Lot	5	\$39,910
C1	Vacant Lots/Land Tracts	752	\$5,639,780
C2	Commercial Vacant (Colonial Lots/Land T)	1	\$48,000
C3	Commercial Vacant Lot	5	\$65,169
C4	City Lot with Non-Owned PPMH	38	\$208,077
D1	Real Acreage (Qualified Ag Land Only)	11,585	\$1,983,087,444
D2	Improvement on Qualified Ag Land	4,939	\$36,439
D3	Real, Acreage, Farmland	2	\$12,420
D4	Real, Acreage, Undeveloped Land	1	\$304
E	Real, Farm & Ranch Improvements	2	\$17,413
E1	Real, Farm/Ranch House	4,832	\$446,664,246
E2	Real, Farm/Ranch Mobile Home	1,385	\$27,681,274
E3	Real, Farm/Ranch other Improvements	448	\$2,188,615

E4	Rural Undeveloped Land	1,450	\$50,698,571
F1	Real, Commercial	971	\$92,735,597
F2	Real, Industrial	91	\$617,120,394
G1	Oil & Gas	16,916	\$306,995,492
J2	Gas Companies	6	\$1,029,190
J3	Electric Companies	29	\$21,352,220
J4	Telephone Companies	20	\$6,355,590
J5	Railroads	9	\$8,846,260
J6	Pipelines	571	\$202,260,600
J6A	Conversion	9	\$2,2798,830
J7	Cable Television	17	\$898,760
J8	Other type of Utilities	152	\$23,908,530
J8A	Conversion	3	\$152,270
J9	Railroad Rolling Stock	1	\$3,058,135
L1	Tangible, Personal Commercial	1,098	\$58,800,284
L1T	Conversion	2	\$605,660
L2	Tangible, Personal Industrial	10	\$1,405,249
L2A	Conversion	2	\$22,380
L2C	L2C	16	\$15,722,900
L2D	Conversion	1	\$46,600
L2F	L2F	0	\$0
L2G	L2G	78	\$49,940,890
L2H	Conversion	5	\$911,620
L2I	Conversion	1	\$12,000
L2J	Conversion	20	\$16,015,600
L2L	Conversion	6	\$76,780
L2M	Conversion	17	\$2,303,250
L2O	Conversion	1	\$18,310
L2P	L2P	30	\$2,374,700
L2Q	Conversion	24	\$3,580,130
L2T	L2T	2	\$210,440
M1	Tangible Personal Other	547	\$12,080,588
M3	Tangible other Personal	3	\$22,847
S	Special Inventory Tax	22	\$3,034,906
X	Exempt Property	8,672	\$33,677,616

Total Acres (D1)	588,204.5528
Total New Value Market	\$492,658,970
Total Market	\$4,522,052,255

***As of January 3, 2017, supplement number 7**

Exemption Data

The LCCAD is responsible for the administration of all property tax exemptions granted. The most common exemption a property owner qualifies for is the Homestead Exemptions. These exemptions include mandated homestead exemptions, optional homestead exemption, over-65 exemptions, disability exemptions, disabled veteran exemptions and 100% disabled exemptions. In order to qualify for the Homestead Exemptions the property owner must own and reside in the residence on January 1 and the owner or spouse claims no other Homestead Exemption. In January of each year the district mails Homestead Exemption application to property owners who may qualify for this exemption. The application must be completed and returned to the district by April 30. A property owner who turns 65 any time during the year qualifies for the Over 65 exemption and can apply for the exemption anytime during the year after the property owner turns 65. A property owner may file a late homestead application if it is filed no later than one year after the taxes become delinquent. The following is a list of taxing units that offer the Homestead/Over 65/Disabled Persons.

Exemptions:

Entities	Homestead	OA/Standard DP/ Standard		2016 Tax Rates	3-2-1% Discount	
		HS-Extra	Freeze			Freeze
Lavaca Hospital Dist.		20% or \$5,000	\$25,000	\$25,000	.0980	N
Moulton Clinic Dist.					.0330	N
Yoakum Hosp. Dist.					.2262	N
City of Hallettsville		20% or \$5,000	/Y	/Y	.289083	Y
City of Moulton		20% or \$5,000			.4715	Y
City of Shiner		20% or \$5,000			.2939	Y
City of Yoakum					.1000	N
Lavaca Flood Dist.		20% or \$5,000			.0602	N
Lavaca County			/Y	/Y	.4063	N
Farm-Mkt. Rd.	\$3,000		/Y	/Y	.1238	N
Ezell ISD	\$25,000	20% or \$5,000	\$10,000/Y	\$10,000/Y	1.2600	Y
Hallettsville ISD	\$25,000		\$10,000/Y	\$10,000/Y	1.3127	Y
Moulton ISD	\$25,000	20% or \$5,000	\$10,000/Y	\$10,000/Y	.9800	N
Shiner ISD	\$25,000		\$10,000/Y	\$10,000/Y	1.0400	Y
Sweet Home ISD	\$25,000		\$10,000/Y	\$10,000/Y	1.0400	Y
Vysehrad ISD	\$25,000	20% or \$5,000	\$10,000/Y	\$10,000/Y	1.0400	Y
Weimar ISD	\$25,000		\$10,000/Y	\$10,000/Y	1.2600	N
Yoakum ISD	\$25,000		\$10,000/Y	\$10,000/Y	1.48900	N

Disabled Veteran: (DV's can be stacked)

DVI - an additional \$5,000 off the value for each entity (10% - 29% disabled)

DV2- an additional \$7,500 off the value for each entity (30% - 49% disabled)

DV3- an additional \$10,000 off the value for each entity (50% - 69% disabled)

DV4- an additional \$12,000 off the value for each entity (70% - 100% disabled)

DVHS- Pays no property tax on any home site portion of property that has homestead exemption.

DVHS- Prorates on & off; can be stacked with any other DV, DP or OA

DVHSS- Value (exact amount - not 100% of home site portion) can be transported to another account with homestead exemption by non - remarried surviving spouse.

DPS- when replacing a DP, the ISD no longer offers an exemption or freeze. G143, RD& CH entities no longer offer the \$10,000 state allowance, but they do let the surviving spouse to keep the freeze

Ratio Study Analysis - Property Value Study

The property tax code requires that the Property Tax Assistance Division of Texas Comptroller Office conduct an internal ratio study in each appraisal district biannually to determine the degree of uniformity of and the median level of appraisal with each major property category in each school district. The districts values must be within the 5% margin of the state's ratio study in order for the Comptroller to certify local value to the Commissioner of Education for school funding. For 2014 the Lavaca County Central Appraisal District's was certified local value for all school districts within the boundaries of Lavaca County. The district's next property value study will be performed for the year 2016.

2015 Methods and Assistance Program

In 2009, the Texas Legislature enacted a new law that required the Comptroller of Public Accounts to review appraisal districts every two years. The reviews inspect the governance, taxpayer assistance, operating procedures and the appraisal standards, procedure and methodology of each appraisal district. Mandatory requirements for each appraisal district include having up to date appraisal maps, onsite property inspections by the PTAD auditor match the districts property records, written procedures, PTAD auditor must be able to reproduce district's values using district's procedures and appraisal records and the ability to timely produce requested data of over 200 items. To acquire an "Exceeds" score, the district had to receive a rating of over 100% by having met all the mandatory and bonus requirements. The district received an Exceeds score in every category. The district PASSED the 2015 MAP's program. The district's next Methods and Assistance Audit will be in 2017.

Legislative Changes

The 2015, 84th Texas Legislature produced many pieces of legislation which affect the operation of appraisal districts as well as taxpayer exemptions and rights. Below is a list of some of the changes that could affect the Lavaca County Central Appraisal District Appraisal district.

* **HB 394** - Restricts CAD from posting information that indicated the age of the property owner, including information that a property owner is 65 years of age or older, on the appraisal districts website. Effective 9/1/15

* **HB 870** - HB 870 retains the 10 hours of training for local government officials; however, it adds that the chief financial officer and the investment officer of a school district shall attend an investment training session not less than once in a two-year period that begins on the first day of the ISO's fiscal year and the two consecutive fiscal years after that, and receives not less than eight hours of instruction on investment responsibilities.
Effective: 9/1/2015

* **HB 3742** - HB 3742 provides that Texas Department of Licensing and Regulation (TDLR) may adopt alternative means of determining or verifying a person's eligibility for a license. TDLR or its executive director may waive any prerequisite for obtaining a license if the applicant currently holds a similar license issued by another jurisdiction that has license requirements substantially equivalent to Texas or has a reciprocity agreement with Texas for the license. With approval of the Governor, TDLR may enter into an agreement with another state to allow for licensing by reciprocity. Effective: 9/1/2015

* **SB 1760** - SB 1760 adds a change to Section 1.111 that a lessee designated by a property owner as the owner's agent may designate a person to act as the lessee's agent, with the approval of the property owner, for any purpose in the Tax Code. The agent designated by the lessee has the same authority and limitations as an agent designated by a property owner. (The House substitute of the Senate version deleted the change regarding refunds to the owner's agent.)
SB 1760 amends Section 4223 to provide that, when an appraisal district employee testifies to a real property value in an appeal of an ARB order, the court may give preference to an employee who is a state-licensed real estate appraiser. Effective 1/1/16

* **SB 46** - Amends Government Code 552.155 and 552.222
SB 46 provides that a photograph taken by the chief appraiser or appraiser's representative for property tax appraisal purposes and shows the improvement (building) interior is confidential information. The photograph may be disclosed to a requestor who had an ownership interest in the improvement on the date that the photograph was taken. A photograph may be used as evidence in a protest or an appeal if it is relevant to the matter protested or appealed. A photograph used as evidence remains confidential and may not be disclosed or used for any other purpose. A photograph may be used to ascertain the location of equipment used to produce or transmit oil and gas if that equipment is located on January 1 in the appraisal district that appraises property for the equipment for the preceding 365 consecutive days. If a request for public information includes a photograph, the public information officer may require the requestor to provide additional information sufficient to determine whether the requestor is eligible to receive the photograph. Effective: 9/1/2015.

* **SB 273** - Adds Government Code 411.209 and amends Penal Code 46.035
SB 273 prohibits a political subdivision (which includes an appraisal district or taxing unit) or a state agency from posting a sign forbidding a concealed handgun license holder from carrying a handgun on the political subdivision's premises, unless the license holder was prohibited from carrying a weapon on the premises under Penal Code Section 46.03, which covers the premises of any government court or offices used by the court. A violation by a political subdivision ranges from a civil penalty of \$1,000 up to \$1,500 for the first violation and \$10,000 up to \$10,500 for a second or subsequent violation. Each day of a continuing violation of improper notice would constitute a separate violation. The civil penalty is collected by the Texas Attorney General and deposited to the victims of crime fund. A Texas citizen or person licensed to carry a concealed handgun could file a written complaint with the Attorney General about the political subdivision's violation and the specific location of the sign. The political subdivision or state agency has three business days to correct the violation after receiving the notice. The Attorney General investigates and gives written notice to the political subdivision describing the violation, the specific location of the sign, the proposed

penalty amount and 15 days to remove the sign to cure the violation to avoid the penalty.

SB 273 also provides that a license holder commits an offense if a license holder carries a handgun in the room where a meeting of the governmental entity was held if it was an open meeting and the entity provided notice as required for open meetings. Effective: 9/1/2015.

* **SB 1985** - Amends 23.175.

SB 1985 changes the calculation of the oil and gas price adjustment factor by using the West Texas Intermediate crude spot price - on a per barrel basis - rather than the imported low sulfur crude price. It also changes the gas calculation on a per million BTU basis. If by March 1, the most recent Annual Energy Outlook was published before December 1 of the previous year, the chief appraiser shall use the projected current and preceding year spot prices - West Texas Intermediate for oil and Henry Hub for gas - as stated in the US Energy Information Administration's Short Term Energy Outlook published in January. Effective: 1/1/2016.

* **SB 1420** - Amends 25.19

SB 1420 adds to the reappraisal notice to include an exemption or partial exemption approved for the property in the preceding year that was canceled or reduced for the current year. The bill also provides that the notice shall contain the amount of an exemption cancelled or reduced in the current year. Effective: 1/1/2016.

* **SB 1** - Amends 11.13, 11.26, 25.23, 26.04, 26.08, 26.09, 26.15, 31.01 and 31.02; adds Education Code 41.0011, 41.0042, 41.0121, 41.0981, 42.2518, 42.2518, Subchapter 46D and amends 41.004, 41.094, 41.208, 42.252, 42.302, 46.003, 46.032; amends Government Code 403.302; amends Tex. Const. Art. 8, Sec. 1-b and adds Art. 8, Sec. 29

If SJR I is approved by Texas voters, SB 1 increases the current \$15,000 school homestead exemption to \$25,000. Only \$5,000 of the exemption applies to an entity operating under former Chapter 17, 18, 25, 26, 27, or 28, Education Code, as those chapters existed on May 1, 1995, as permitted by Section 11.301, Education Code. The increased exemption would apply for the 2015 tax year, based on Texas voter approval November 3. Those over-65 or disabled homeowners with a school tax limitation would have their limitation adjusted for the additional exemption amount for the 2015 tax year, using the tax amount imposed in 2014 school taxes less a tax amount determined by multiplying \$10,000 times the school district's 2015 tax rate, plus any 2015 tax attributable to new improvements made in 2014. For tax year 2015, the chief appraiser shall prepare supplemental appraisal records that reflect the \$25,000 exemption on applicable residence homesteads. The tax assessor shall determine the total taxable value of property in the school district, based on an exemption of \$25,000 for residence homesteads. The school's effective and rollback tax rates shall be based on a residence homestead exemption of \$25,000. For a school rollback ratification election, the effective M&O rate and the rollback rate for the 2015 tax year is based on the \$25,000 homestead exemption. The tax assessor shall calculate the tax on each homestead based on the \$15,000 exemption and separately based on a \$25,000 exemption. After the election, the tax assessor shall correct the tax roll to reflect the election results.

School districts receive additional state aid to offset the loss in local tax revenue for the increased exemption and tax limitation, as if SJR I had been in effect in the 2014 tax year. Some school districts required to reduce their wealth per student may request from the Education Commissioner a delay from the September 1 date for the 2015-2016 school year and, if granted, may adopt a tax rate for the 2015 tax year before the Commissioner certifies that the district has achieved the equalized wealth level. Other provisions for school district state funding addresses computation of wealth per student for the 2015-2016 school year and calculation of the additional state aid for the homestead exemption and tax limitation. The Comptroller shall certify the final taxable value of each school district, appropriated adjusted, as provided by the terms of a memorandum of understanding with the Comptroller, Legislative Budget Board and Education Commissioner. The constitutional amendment would increase the stated school dollar exemption from \$15,000 to \$25,000 and would adjust the tax limitations and add that the Legislature may prohibit a taxing unit from reducing the amount of or repealing the percentage homestead exemption. The amendment also would prohibit the Legislature from imposing a real estate transfer tax on conveyance by fee simple title on real property, but does not prohibit imposing a general business tax measured on business activity, imposing a tax on production of minerals; imposing a tax on issuing title insurance or the change of a rate on a tax

in existence on January 1, 2016.

Effective: Effective if Texas voters approve constitutional amendment at an election held on November 3, 2015; some parts effective 6/15/15, immediately on Governor's signature.

* **HB 275** - HB 275 specifically adds eggs, regardless of whether the eggs are packaged, to the list of farm products exempt from property taxation. Effective: 1/1/2016.

* **HB 992** - Amends 11.131; amends Tex. Const. Art. 8, Sec. 1-b

HB 992 and HJR 75 would grant the total homestead exemption to the surviving spouse of a totally disabled veteran who would have qualified if Section 11.131 had been authorized on the date the disabled veteran died. Current law, which was added in 2009 and approved for the surviving spouse in 2011 by Texas voters, did not address veterans who had died prior to those effective dates. If approved, the exemption would apply to those surviving spouses for a tax year beginning on or after January 1, 2016. Effective: 1/1/2016, if Texas voters approve constitutional amendment November 3, 2015.

Status: New Law if voters approve. DB 992 signed by Governor 6/17/15, HJR 75 to Secretary of State.

* **HB 706** - HB 706 changes the exemption application by a property owner for a solar or wind-powered energy device installed or constructed on property to a onetime application. Current law requires an annual application by the property owner. Effective: 1/1/2016.

* **HB 994** - HB 994 removes the temporary exemption provision for landfill-generated gas conversion facilities so that the exemption continues for future tax years. In 2013, the Texas Legislature passed this temporary exemption for tax years 2014 and 2015 only. The Texas Commission on Environmental Quality is required to develop rules to determine the exemption amount and the rules must limit the value to only business personal property used on which gas is collected. The statute also provides that the property used as conversion facilities shall be classified as personal property (and, therefore, exempt), regardless of whether it is affixed or attached to realty, and the exemption shall only be extended to property used for the stated purpose. Effective: 1/1/2016.

* **HB 1022** - HB 1022 adds that the homeowner's surviving spouse who has a life estate in the homestead may qualify for the residence homestead exemptions. Effective: 1/1/2016.

* **HB 1463** - HB 1463 requires the appraisal district to send a notice by certified mail before cancelling an over-65 homestead exemption. The notice to the property owner must include a form on which the owner may indicate whether the owner qualifies for the exemption, along with a self-addressed, postage prepaid envelope with instructions for returning the form to the chief appraiser. The chief appraiser determines whether to continue to allow the exemption. If the chief appraiser does not receive a response on or before the 60th day after mailing the notice, the chief appraiser may cancel the exemption on or after the 30th day after the expiration of the 60-day period, but only after making a reasonable effort to locate the owner. A reasonable effort includes sending an additional notice of cancellation to the individual after the 60-day period by first class mail in an envelope with RETURN SERVICE REQUESTED in all capital letters so that the U. S. Post Office returns the notice if it is not deliverable as addressed, or by providing the additional notice in another manner that the chief appraiser determines appropriate. This notice of cancellation includes, in bold font equal to or greater in size that the surrounding text, the date on which the chief appraiser is authorized to cancel the exemption. This notice does not apply if the chief appraiser determines that the individual no longer owns the homestead property. Effective: 9/1/2015.

* **SB 833** - Amends 11.13

SB 833 adds that a homeowner continues to receive homestead exemptions while absent for military service inside the United States. Current law only addresses military service outside of the U. S. Effective: 6/1/2015

* **SB 918** - Amends 11.43

SB 918 removes the requirement that a veteran's organization apply annually for the exemption in Section 11.23(a). Once the exemption is allowed, the veteran's organization need not apply in subsequent years until the property changes ownership or qualifications change. Effective: 1/1/2016.

* **HB 3532** - HB 3532 allows the appraisal district to disclose confidential information that includes a driver's license number, personal ID number or social security number on an exemption application to the agent of the appraisal district who appraises property or performs appraisal services for the district. Effective: 9/1/2015.

* **HB 3623** - HB 3623 adds to the list of miscellaneous exemptions to include real and tangible personal property owned by the National Hispanic Institute, as long as the Institute is exempt from federal income taxes as a 501(c)(3). Once the exemption is granted, an annual application is not required. The Institute is located in Maxwell in Caldwell County. Effective: 1/1/2016.

* **HB 1464** - Adds 23.551 and amends 1.07,23.43, 23.46, 23.54,23.55; amends Transportation Code 521.049
HB 1464 adds a new notice, sent by certified mail, to landowners who are 65 years of age or older that own qualified agricultural-use land before the chief appraiser makes a determination of change of use of the qualified land. The over-65 landowner may indicate that the land remains eligible on the form sent with the chief appraiser's notice. The chief appraiser includes a self-addressed, postage prepaid envelope and instructions on returning the form. The chief appraiser considers the owner's response in determining whether the land remains eligible for ag-use appraisal. If the chief appraiser does not receive a response on or before the 60th day after mailing the notice, the chief appraiser must make a reasonable effort to locate the owner and determine whether the land's use has changed. A reasonable effort is sending an additional notice to the owner immediately after the expiration of the 60-day period by first class mail in an envelope on which is written, in all capital letters, "RETURN SERVICE REQUESTED," directing the U. S. Postal Service to return the notice if it is not deliverable as addressed, or providing the additional notice in another manner that the chief appraiser determines is appropriate. The Texas Comptroller's application forms for agricultural appraisal must include a space for the property owner to state the owner's date of birth. Failure to provide the date of birth does not affect the owner's right to the agricultural designation. Effective: 9/1/2015.

* **HB 2083** - Amends 23.01

HB 2083 provides that the selection of comparable properties and the application of appropriate adjustments for the determination of an appraised value of property under a protest to the ARB or to district court shall be based upon the application of generally accepted appraisal methods and techniques. Adjustments must be based on recognized methods and techniques that are necessary to produce a credible opinion. Notwithstanding this requirement, property owners representing themselves are entitled to offer an opinion of and present argument and evidence related to the market and appraised value or the inequality of appraisal of the owner's property. See also *Appraisal District Litigation*. Effective: 11/1/2016.

* **HB 849** - Amends 41A.01, 41A.03, 41A.05,41A.06

SB 849 revises the requirements for binding arbitration of an ARB order. A property owner may seek binding arbitration concerning the appraised or market value of a property if the ARB order is \$3 million or less, increased from the current law of \$1 million or less. The arbitration deposit made payable to the Texas Comptroller is changed, to be based on the property value set in the ARB order: \$450, if the property qualifies as the owner's residence homestead and the value is \$500,000 or less; \$500, if the property qualifies as the owner's residence homestead and the value is more than \$500,000; \$500, if the property does not qualify as the owner's residence homestead and the value is \$1 million or less; \$800, if the property does not qualify as the owner's residence homestead and the value is more than \$1 million but not more than \$2 million; or \$1,050, if the property does not qualify as the owner's residence homestead and the value is more than \$2 million but not more than \$3 million. The Comptroller may retain \$50 of the deposit and the arbitrator receives the remainder of the deposit Effective: 9/1/2015

For additional information visit our website at www.lavacad.com or call our office at 361-798-4396. We are located at 908 N. Glendale in Hallettsville Texas. Business hours are Monday thru Friday, 8:00 am to 5:00 pm. The office is opened through the lunch hour.