

County Budget and Tax Rate Planning Calendar

Senate Bill 2, by Sen. Paul Bettencourt (R-Houston), has made changes to the county budget and tax rate planning calendar. Tax Code Section 26.04(c) requires an officer or employee designated by the governing body to calculate the effective tax rate and rollback tax rate for the taxing unit. SB 2 changed the names of the tax rates (from “effective” tax rate to “no-new-revenue” tax rate and from “rollback” tax rate to “voter-approval” tax rate) but the process is similar. The calculation process starts after the chief appraiser delivers to the taxing unit the certified appraisal roll and the estimated values of properties under protest.

SB 2 requires the Comptroller’s Office to provide worksheets to compute the tax rate and it is anticipated the worksheets and samples will be available in spring 2020.

The provisions shaded in red indicate SB 2 changes. Budget deadlines are computed for an Oct. 1 fiscal year.

By April 30 Deadline for chief appraiser to provide preliminary tax roll values. **Tax Code 26.01(e).**

By July 25 Deadline for chief appraiser to certify appraisal roll to tax assessor-collector. **If the appraisal review board for an appraisal district has not approved the appraisal records for the district by July 20, the chief appraiser must prepare and certify an estimate of the taxable value of the property in the district. Tax Code 26.01.**

Before July 30 Before filing annual budget with the county clerk, give written notice to each elected county and precinct officer of official’s proposed salary and personal expenses in the budget. **LGC 152.013(c).**

By July 30* Budget officer files copy of proposed budget with county clerk. Copy shall be available for public inspection and posted on website. **LGC 111.006, 111.037, 111.066.**

**This is a suggested date. Section 111.003 requires that the proposed budget be prepared during the seventh month or the 10th month of the fiscal year as determined by commissioners court.*

By Aug. 1 (or as soon as practicable after) The tax assessor-collector must submit the appraisal roll for the taxing unit with the total appraised, assessed, and taxable values of all property and the total taxable value of new property to the commissioners court. **Tax Code 26.04(b).**

The taxing unit’s collector must certify the anticipated collection rate for the current year. If the collector certified an anticipated collection rate in the preceding year and the actual collection rate in that year exceeded the anticipated rate, the collector must also certify the amount of debt taxes collected in excess of the anticipated amount in the preceding year. **Tax Code 26.04(b).** **If the anticipated collection rate of a taxing unit is lower than the lowest actual collection rate of the taxing unit for any of the preceding three years, the anticipated collection rate of the taxing unit for purposes of this section is equal to the lowest actual collection rate of the taxing unit for any of the preceding three years. Tax Code 26.04(h-1).**

As soon as practicable after Aug. 1 The designated officer or employee must calculate the no-new-revenue tax rate and the voter-approval tax rate and submit and certify the calculation forms to the county tax assessor-collector. **Tax Code 26.04(c), (d2).**

By Aug. 7 (or as soon as practicable after) The designated officer or employee must submit the rates to the commissioners court and post the rates on the homepage of the county’s website in the manner prescribed by the comptroller. **Tax Code 26.17, Tax Code 26.04(e).**

The chief appraiser must deliver by mail or email a notice of where the estimated amount of taxes imposed on the property to each property owner in the county may

THIS PUBLICATION IS A RESEARCH TOOL AND NOT THE COUNSEL OF AN ATTORNEY. THIS PUBLICATION IS NOT A SUBSTITUTE FOR THE ADVICE OF AN ATTORNEY.

It is provided without warranty of any kind and, as with any research tool, should be double checked against relevant statutes, case law, attorney general opinions and advice of legal counsel e.g., your county attorney. Each public officer is responsible for determining duties of the office or position held. Any question regarding such duties should be directed to competent legal counsel for a written opinion.

be accessed. **Tax Code 26.04(e-2)**. THIS PROVISION GOES INTO EFFECT IN 2020 FOR COUNTIES WITH A POPULATION OF 200,000 OR MORE AND 2021 FOR COUNTIES WITH A POPULATION OF FEWER THAN 200,000.

Note: The Comptroller Property Tax Administration Advisory Board will be prescribing format of the notices required by the chief appraiser.

If the salary, expenses or other allowances of any elected county or precinct officers are being increased, published newspaper notice is required by **LGC 152.013**. This notice must be published 10 days before the meeting at which the officer salaries will be set.

Post notice of budget hearing at least 72 hours before meeting. **LGC 111.007(c)** and Open Meetings Act.

On or after Aug. 16 Public hearing on budget (after the 15th day of the month following the month the proposed budget was prepared). **LGC 111.007**.

At regular meeting of commissioners court during the regular budget hearing and adoption proceedings, vote to set salaries, expenses and other allowances of all elected county and precinct officers. **LGC 152.013**.

Adoption of budget during commissioners court. May be done at any time after the hearing — at the same meeting or at a later meeting. If you plan to adopt the budget at the same meeting, be sure to include a separate item on the agenda for the actual adoption. If you plan to adopt at a later date, include an agenda item to set the date for adoption of the budget. The vote to adopt the budget must be a record vote. See LGC Chapter 111 for more specifics about requirements of the vote and required language.

Before the later of Sept. 30 or the 60th day after the date the certified appraisal roll is received.

The commissioners court must adopt a tax rate.

If the commissioners court wishes to adopt a tax rate that exceeds the voter-approval rate.

Adoption of the tax rate must not be later than the 71st day before the November election date. **Tax Code 26.05(a)**.

The commissioners court may not hold a hearing on a proposed tax rate or to adopt a tax rate until the fifth day after the date the chief appraiser has delivered the notices to property owners, required under **Tax Code 26.04(e-2)**, and made available the tax rate calculations on their website under **Tax Code 26.17**. **Tax Code 26.05(d-1) & (d-2)**. THIS PROVISION GOES INTO EFFECT IN 2020 FOR COUNTIES WITH A POPULATION OF 200,000 OR MORE AND 2021 FOR COUNTIES WITH A POPULATION OF FEWER THAN 200,000.

The commissioners court may adopt a tax rate at the public hearing, but not later than the seventh day after the date of the public hearing. **Tax Code 26.06(d)**, **Tax Code 26.06(e)**. A record vote required if adopted rate exceeds the no-new-revenue rate. The rate must be broken down into two components: (1) debt service and (2) maintenance and operations. See **Tax Code 26.05** for required language and other specifics. The total adopted rate cannot exceed the proposed tax rate. At least four members of commissioners court must be present and at least three must vote in favor. **LGC 81.006**.

Adoption of the tax rate not later than the 71st day before the November election. Tax Code 26.05(a).

If the tax rate adopted exceeds the voter-approval rate, the tax rate must be approved by the voters. *Tax Code 26.05 (a)*. Note that the deadline to order an election to be held on the November uniform election date is the 78th day before election day. **Election Code 3.005(c)**.