

Hartley County Appraisal District

Board of Directors Manual Policies and Procedures

This manual is a compilation of HCAD Board Policies and Procedures and The Texas Comptroller of Public Accounts Appraisal District Directors Manual February 2006. We have incorporated information specific to Hartley CAD with the Appraisal District Director's Manual published by the Texas Comptroller of Public Accounts to include all pertinent constitutional requirements, state laws and rules that govern the appraisal Districts and the board of directors.

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The Appraisal District Director's Manual

Introduction

As an appraisal district director, you participate in governing one of the largest and most progressive property tax systems in the nation. A variety of state laws and rules govern appraisal district operations. The Texas Constitution addresses a number of aspects of property taxation. Article VII, Section 18, specifically requires the Legislature to provide an appraisal system that produces a single appraised value for the taxing units in a county. Article VIII, Section 20, provides that no property may be assessed for ad valorem taxes at a greater value than its fair cash market value. Other constitutional provisions provide for a number of special appraisals and exemptions. Finally, it is the Constitution that authorizes the Legislature to create local governments and provide them with taxing power.

The Property Tax Code (Code) contains most laws enacted by the Texas Legislature that deal with property taxes. First enacted in 1979, the Code was a sweeping revision of Texas Property tax laws. It created appraisal districts, the State Property Tax Board (SPTB) and the modern framework for property tax administration.

In 1991, the SPTB was abolished and its responsibilities were transferred to the Comptroller. The Comptroller has statutory authority to establish minimum standards for the administration and operation of appraisal districts. The Comptroller is required to conduct studies to report on appraisal district levels of appraisal and may conduct reviews and performance audits of appraisal district under certain conditions.

The chief appraiser and the appraisal district board of directors are responsible for ensuring that an appraisal district conducts its operations in a fair and efficient manner. As government officials, directors must be responsive to the public and be aware of the laws and principles that apply to their office. This manual is intended to familiarize you with many of these laws and principles.

Common abbreviations used in this manual are:

- ARB – appraisal review board
- CAD – county appraisal district
- TAC – tax assessor-collector

In 1982 the Hartley County Appraisal District was formed. It is located in Hartley, Texas at 1011 4th Street. There is a five member board of directors. The appraisal district serves nine taxing entities. These entities are: Hartley County, North Plains Water District, Moore County Hospital District, Dallam/Hartley Hospital District, City of Channing, Hartley ISD, Channing ISD, Dalhart ISD and the City of Dalhart.

I. ELIGIBILITY REQUIREMENTS

To serve on the board of directors for Hartley County Appraisal District, a person must have resided in the appraisal district for at least two years preceding the date of taking office. Other factors could cause disqualifications for serving. An employee of a taxing unit that participates in the appraisal district may not serve. But, an elected official or member of the governing body of a participating taxing unit may serve.

Selection of Board

Voting taxing units specified by statute select the appraisal district directors. The voting taxing units for the Hartley County Appraisal District are: Hartley County, Hartley ISD, Channing ISD, Dalhart ISD, City of Channing and City of Dalhart. The Hartley County Tax Assessor Collector serves as a nonvoting director. In Hartley County the Tax Assessor Collector is also the County Sheriff.

A person is disqualified from serving on the Board if they owe delinquent taxes. This does not apply if the person has signed an installment payment agreement, deferred or abated a suit with the District.

A person may not be appointed or continue to serve on the board if: related within the second degree of consanguinity or affinity to an appraiser who appraises property for use in the appraisal district's appraisal review board proceedings or, a person who represents property owners for compensation before the appraisal district's appraisal review board. The director's relatives may not be employed by chief appraiser if they are within the second degree of affinity or third degree of consanguinity.

Term of Office and Vacancy

Board of Directors members serve two-year terms. Each term begins January 1 of the even numbered years.

Procedure for filling a vacancy on the Board:

- a. Voting taxing units are notified of vacancy
- b. Voting taxing units nominate a candidate by resolution
- c. Nominations are submitted to chief appraiser within 45 days
- d. Chief appraiser delivers a list of nominees to the directors within next 5 days
- e. Directors select by majority vote on the the nominees to fill vacancy.

Recalling a Director

A taxing unit may recall any director the unit voted for in the appointment process. The taxing unit must file a resolution with the chief appraiser stating that the taxing unit is calling for a recall of a member. Within 10 days after the taxing unit files a recall resolution, the chief appraiser must give written notice to the presiding officer of each voting taxing unit.

A recall election takes place in which only the taxing units that voted for that board member may vote. The voting recall-voting taxing unit has the same number of votes that it cast in electing the member. The taxing unit files a resolution casting its votes in favor of recall on or before the 30th day after the original recall resolution is filed.

Not later than the 10th day after the last day for voting in favor of the recall, the chief appraiser shall count the votes in favor of the recall. The chief appraiser will then have the votes canvassed by the Hartley County Judge to verify the votes. After the votes are verified, the chief

appraiser will notify the board chair and the presiding officer of the governing body of each recall-voting taxing unit of the results. If the chair is the subject of the recall, the board secretary shall also be notified.

After a recall, the director's vacancy is filled by the taxing units that voted in the recall election. Each recall-voting taxing unit may nominate by resolution one candidate and is entitled to the same number of votes it used to appoint the recalled member. The recall-voting taxing units must submit the name of each nominee to the chief appraiser on or before the 30th day after the date the chief appraiser notified the unit of the recall election results.

On or before the 15th day after the last day provided for a nomination to be submitted, the chief appraiser shall prepare a ballot, listing the candidates alphabetically according to their last names, and shall deliver a copy of the ballot to the presiding officer of the governing body of each taxing unit that is entitled to vote. On or before the 15th day after the last day on which a taxing unit may vote, the chief appraiser counts the votes, declares the winner and notifies the chair, each taxing unit and the candidates. The chief appraiser shall resolve a tie vote by any method of chance.

Optional Staggered Terms

At this time Hartley County Appraisal District does not use the staggered term policy. All 5 positions are voted on every 2 years.

Selection of Directors

Taxing units—counties, cities/towns, school districts and certain conservation and reclamation districts—select directors in the fall of odd-numbered years. The voting taxing units for Hartley CAD are Hartley County, Hartley ISD, Channing ISD, City of Channing, Dalhart ISD, and City of Dalhart. Other special districts, such as hospital districts, emergency services districts and junior college districts, do not participate in the selection of directors. The chief appraiser announces the new directors before December 31. The selection method may be changed in the same manner as changes in the number of directors.

Conservation and reclamation districts may participate in this process if a proper request for participating in the director's selection process has been filed for the current year. These districts may also participate if they were entitled to vote in the last director selection. These districts are created under Article III, Section 52 or Article XVI, Section 59, Texas Constitution, or enabling legislation. The most common forms are water district, municipal utility districts, and road districts. To become voting taxing units, at least one conservation and reclamation district in the appraisal district must make a request to nominate and vote on the board of directors. The request must be in writing and delivered to the chief appraiser on or before June 1 of an odd-numbered year. At this time North Plains Water District does not participate in the selection process of the board of directors.

Section 6.03 of the Code establishes the selection process for appraisal district directors. This process is not an "election" governed by the Texas Election Code, but an independent procedure unique to the property tax system.

A board of five directors typically governs each county appraisal district, plus the county TAC as a nonvoting director, if not appointed as a voting director. The TAC for Hartley County is also the County Sheriff. The number of directors can be increased to 13 by action of the previous board or by three-fourths of the voting units acting through resolutions.

Throughout the selection process, the Code specifies dates for action by the chief appraiser and the voting units. These dates are directory and not mandatory – this is, minor delays in the nominations or voting process may be ignored. Advice of legal counsel should be obtained, however, in these situations.

Chief Appraiser's Duties

- **Certify a list of eligible conservation and reclamation districts (when applicable)**
After receiving a request, the chief appraiser must certify a list of all eligible conservation and reclamation districts that are imposing taxes and that participate in the appraisal district. The chief appraiser must certify the list by June 15 of the year the request is made. To determine whether a district is authorized under the Code's definition, chief appraisers should ask each district involved for a citation to the statute or constitutional provision authorizing the district. If not convinced of the district's right to participate in the process, the chief appraiser should consult the appraisal district's attorney.
- **Calculate the votes and notify the conservation and reclamation districts.** If the proper request has been made the chief appraiser must calculate the number of votes to which each eligible conservation and reclamation district is entitled and deliver written notice of each district's voting entitlement and right to nominate a director to the presiding officer of each district on or before June 30 of an odd-numbered year. The number of votes to which each eligible conservation and reclamation district is entitled is calculated in the same manner as other voting taxing units.
- **Prepare a ballot for the conservation and reclamation districts.** On or before July 31, the chief appraiser prepares a nominating ballot. The ballot must list all the nominees of each conservation and reclamation district alphabetically by surname. The chief appraiser must deliver a copy of the nominating ballot to the presiding officer of each district.
- **Count the votes to determine the conservation and reclamation districts' nominee.** The chief appraiser must count the votes and determine the conservation and reclamation district's nominee. The person with the most votes wins the nominations, but only if he or she receives more than 10 percent of the votes that could have been cast by the districts. Tie votes are resolved by a method of chance. An alternate procedure is followed if no person receives more than 10 percent of the conservation and reclamation district's votes. In this case, the chief appraiser must notify the presiding officer of the board of each district of the failure to select a nominee on or before August 31. Each district may then submit a nominee following the original procedure discussed above. Each district must submit a nominee to the chief appraiser on or before September 15. The chief appraiser submits a second nominating ballot to the districts on or before October 1. Districts must vote as discussed above on or before October 14. This time around the nominee with the most votes wins a place on the board of director's ballot. There is no requirement that one person achieve at least 10 percent of the votes. Again, tie votes are resolved by any method of chance.
- **Obtain prior year levies for all eligible voting units.** The number of votes allocated to a voting unit is based on the ratio of its tax levy in the preceding year to the total tax levy of all voting units. The chief appraiser uses the most recent official tabulation of each voting unit's prior year levy. This is the amount levied, not the amount collected, by the voting unit. If a taxing unit participates in several appraisal districts, the chief appraiser uses only the tax levied in that appraisal district. The county tax levy includes taxes for the general fund, farm-to-market roads or flood control and special road and bridge funds.

- **Calculate voting entitlement for each voting unit.** Before October 1 of an odd numbered year, the chief appraiser must calculate the number of votes for each voting unit. To determine the votes, the chief appraiser must:
 1. Divide the amount of the preceding year's property taxes imposed by each unit by the sum of the total amount of preceding year's property taxes imposed by all voting units.
 2. Multiply the quotient in No. 1 by 1,000 and round to the nearest whole number.
 3. Multiply the whole number in No. 2 by the number of seats on the appraisal district board that will be filled.

The formula looks like this:

$$V = \frac{U}{T} \times 1,000 \times D$$

V = the number of votes for a given voting unit.
 U = the amount of preceding year's property taxes imposed by the given voting unit.
 T = the total amount of preceding year's property taxes imposed by all voting units within the appraisal district.
 D = the number of directors that will be selected this year (ordinarily five, unless the number of directors has increased). Hartley CAD has five board members.

- **Notify each voting unit.** Before October 1 of an odd-numbered year, the chief appraiser must notify each voting taxing unit of the number of votes it may cast. The chief appraiser will send a notice of the votes to the following individuals:
 - County judge and each county commissioner;
 - The presiding officer of the governing body of each city or town and to the city manager, city secretary or city clerk; and
 - Presiding officer of the governing body of each school district and each school Superintendent.

Each voting unit may nominate one candidate for each position to be filled by October 15. Thus, the unit may nominate from one to five candidates, provided the board of directors consists of five members. The unit may nominate more candidates if the size of the board has been increased.

- **Prepare the ballot.** Before October 30, the chief appraiser must prepare a ballot listing all nominees alphabetically by each candidate's surname. The chief appraiser must deliver a copy of this ballot to the presiding officer of the governing body of each voting unit.
- **Count all votes and announce the directors.** The chief appraiser must count the votes. It is the policy of the HCAD board of directors to have the votes canvassed by the Hartley County Judge before declaring the candidates who received the largest vote totals. This must be done before December 31. The chief appraiser notifies all taxing units (voting and non-voting) and all the candidates (winners and losers) of the outcome. If a tie occurs, the chief appraiser must resolve it through any method of chance. The method of chance will be a flip of a coin. This too will be done with the Hartley County Judge in attendance.

Taxing Unit Duties

The governing bodies of the voting units have certain responsibilities in selecting appraisal district directors.

- Each governing body of a conservation and reclamation district entitled to vote may nominate by resolution a candidate for the board of directors. The district's presiding must submit its nominee to the chief appraiser on or before July 14 of an odd-numbered year. Final selection of the conservation and reclamation district candidate must be submitted by resolution to the chief appraiser on or before August 14.
- File a resolution of opposition with the board of directors before September 1 if the unit objects to a change in selection process that the board has made.
- File a resolution with the chief appraiser after June 30 and October 1 if the unit wishes to change selection process.
- Nominate one candidate for each position on the board of directors. Submit the names and addresses of the nominees to the chief appraiser before October 15.
- Cast votes for any of the candidates on the ballot. Send the resolution to the chief appraiser before December 15. The voting unit may cast all of its votes for one candidate or may distribute the votes among a number of candidates. Some voting units may have enough votes to select several directors to the board. To share representation, several units may wish to vote for the same candidate. A voting unit must cast its votes for a person nominated and named on the ballot. There is no provision for write-in candidates.
- Nominate a person to fill a vacancy on the board of directors within 45 days after notice of the vacancy. Send the name of the nominee to the chief appraiser.

Changing the Selection Process

Section 6.031 of the Code allows appraisal districts to change the number of the directors or the method of selection, or both, subject to veto by any voting unit. A second option is called the "three-quarters rule" because at least three-quarters of the voting units must decide to change the process.

First Option – Unanimous Consent

The appraisal district board may increase its number of directors to a maximum of 13; change the selection procedure or both. To do so, the directors must pass a resolution stating the change and send it to all taxing units in the appraisal district before August 15 of a year in which directors are selected.

Any voting unit—county, school district, city or town—may veto the change by adopting a resolution of opposition and filing it with the board of directors before September 1.

Upon receipt of a veto resolution, the board of directors must notify all taxing units in writing before September 15. This deadline allows sufficient time for taxing units to invoke the second option—the three-quarters rule.

Second Option – Three-quarters Rule

A voting unit that holds a majority of the votes in the normal selection process may not have its voting strength reduced to less than a majority unless it adopts a resolution supporting the change.

For example, a school district with 85 percent of all calculated votes must agree to any proposed change that decreases its voting percentage to less than 50 percent of all votes. If the school does not agree, the new method is void, even if approved by three-quarters of the remaining units.

No unit's voting strength may be reduced to less than one half of the number of votes it holds in the normal selection process without its consent, unless the unit's appraisal district budget allocation is reduced in the same proportion as its voting strength.

For example, a city has 40 percent of all calculated votes and does not support the resolution to change the selection process. The new method can reduce that city's voting strength to 20 percent without any budget adjustment. However, if the new method reduces the strength to less than 20 percent, then the appraisal district reduces the city's budget allocation by the same proportion.

The procedure may not be used to expand the types of units that vote.

Steps for Changing the Selection Process

After June 30 and before October 1 in a year of selecting directors, at least three-quarters of the voting units must adopt and file their resolutions with the chief appraiser for changing the selection process.

Before October 5, the chief appraiser determines whether a sufficient number of voting units have adopted the resolution to change the selection process. If this is the case, the chief appraiser must notify taxing units of the change before October 10. Once adopted, any replacement procedure remains in effect for subsequent elections until either the resolution changes in accordance with the requirements and provisions of Section 6.031 (the statute for changing the process); or a majority of the voting units rescind the resolution that approved the change.

II. Organization

A newly selected board must be properly sworn into office, select officers, assign responsibilities and schedule public meetings.

Oath of Office

The Texas Constitution requires each director to sign a statement and take an oath of office before beginning a term. January 1 of the year in which the term begins is the earliest date the oath may be taken. No official board actions can be taken until the statements and oaths of office are administered.

The board member must sign a constitutionally prescribed statement that is found on the Secretary of State's website as Form 2201. The appraisal district retains this statement at the office. The director signs this statement before the oath of office is administered. The oath of office must be signed and notarized, as well as administered verbally. This form is also found on the Secretary of State's website as Form 2204. The appraisal district uses these two forms. (see attached forms)

Board of Officers

Each year during its first meeting, the board meets to organize and choose officers. The HCAD board of directors has three officers, the Chairman, the Vice-Chairman, and the Secretary. A quorum of a majority of members must be present before the board takes any official action. The Hartley County Appraisal District board of directors will meet the first month of each quarter on the second Tuesday of the month at 9:00 a.m. The board may meet at any time at the call of the chair, but may not meet less than once each calendar quarter.

The HCAD board of directors will conduct meetings using "Robert's Rules of Order" for parliamentary procedures.

Compensation of Directors

Appraisal district directors may not receive a salary, per diem or other compensation for serving on the board. Directors may be reimbursed for reasonable and necessary expenses incurred in the performance of their duties if included in the appraisal district budget.

Board Meetings and the Open Meetings Act

The board of directors for HCAD is required to complete a training course on the Open Meetings Act no later than the 90th day after taking the oath of office. The course is offered by the Office of the Attorney General. The website is: www.oag.state.tx.us. There is also a DVD that is available at the appraisal office if the member does not have access to the internet. Written instructions are listed below:

TO TAKE THE OPEN MEETINGS & PUBLIC INFORMATION TRAINING:

ONLINE

GO TO: www.oag.state.tx.us

THIS TAKES YOU TO THE: ATTORNEY GENERAL WEBSITE HOME PAGE

CLICK ON THE: OPEN GOVERNMENT TAB

LOOK ON THE RIGHT SIDE OF THE PAGE AND CLICK ON: OPEN GOVERNMENT TRAINING

THEN LOOK AT THE MIDDLE RIGHT OF THE PAGE AND YOU WILL SEE: VIDEOS & CERTIFICATES

CLICK ON THE OPEN MEETINGS ACT TRAINING VIDEO AND WATCH ALL OF IT (DON'T TRY TO CHEAT, BECAUSE IT WON'T LET YOU)

BE SURE TO WRITE DOWN THE ACCESS CODE AT THE END OF THE VIDEOS BECAUSE IF YOU DON'T YOU WILL HAVE TO TAKE IT ALL OVER AGAIN!

THEN:

CLICK ON THE PUBLIC INFORMATION ACT TRAINING VIDEO AND WATCH ALL OF IT (DON'T TRY TO CHEAT, BECAUSE IT WON'T LET YOU)

BE SURE TO WRITE DOWN THE ACCESS CODE AT THE END OF THE VIDEOS BECAUSE IF YOU DON'T YOU WILL HAVE TO TAKE IT ALL OVER AGAIN!

WHEN YOU HAVE WATCHED THE VIDEOS GO BACK TO THE SCREEN WHERE YOU FOUND THE VIDEOS AND CLICK ON: PRINT COURSE COMPLETION CERTIFICATE
NOW YOU FILL IN ALL THE INFORMATION (THIS IS WHERE YOU NEED THE ACCESS CODE)
CHECK YES
ENTER THE ACCESS CODE
ENTER THE DATE OF TRAINING
CLICK ON: NEXT
TYPE IN THE NAME THAT NEEDS TO BE ON THE CERTIFICATE
CLICK ON: SUBMIT
CLICK ON: generate and print your certificate

PRINT THIS AND BRING IT TO THE APPRAISAL DISTRICT (YOU MAY MAIL OR FAX OR DROP IT IN THE DROP SLOT ON THE FRONT OF OUR BUILDING). WE CAN EVEN PRINT IT OFF FOR YOU IF YOU GIVE US YOUR ACCESS CODES AND THE DATE YOU TOOK THE COURSES.

THIS MUST BE ON FILE IN ORDER FOR YOU TO SERVE ON THE AG ADVISORY BOARD, APPRAISAL REVIEW BOARD, BOARD OF DIRECTORS, OR THE STAFF OF THE DISTRICT.

The meeting agenda will set out the time for starting the meeting, establish that a quorum of directors is present, state that the minutes from the prior meeting will be approved, provide a list of new and unfinished business, schedule reports from staff and list any other discussion or action items.

The board's meetings must allow time for the public to appear and speak about any appraisal district issue, including district and appraisal review board policies.

Hartley CAD board of directors policy for public access to Hartley CAD board of directors is: If any member of the public wishes to file a complaint, submit comments or recommendations with the Board of Directors for Hartley County Appraisal District concerning the operations of the appraisal office or any other function over which the Board has responsibility, he or she may do so. Written correspondence to the chairperson of the Board outlining any complaint or concern should be delivered to the Chief Appraiser at the appraisal district office. The Chief Appraiser will deliver the written correspondence to the Board members. The issues raised in such complaints or commentary will be discussed by the Board at the next scheduled public meeting, and public testimony will be invited. Pursuant to Section 6.04(g) Texas Property Tax Code the Board of Directors shall notify the parties to any complaint concerning its status on a quarterly basis until final disposition of the matter.

The board is subject to the Open Meetings Act, Chapter 551, Government Code, so all board meetings are open to the public. Some meetings on specific subjects may be closed after the board convenes in an open meeting. There are three categories of meetings: regularly scheduled, called and emergency. The board, through its secretary, must comply with the Open Meetings Act before each of these meetings. Persons who believe the board violated the Open Meetings Act may sue the board in district court. If the court agrees the Act was violated, actions taken during the meeting are invalid. If any question arises about the application of the Act or compliance with its provisions, the board should consult its attorney.

Open meetings may continue to the following regular business day without the need for re-posting, so long as the action is made in good faith.

Posting Meetings

The board must post notice of all board meetings within a specific time and at a specific place before the meeting. The board must post meetings as follows:

Where to post. All meeting notices are posted on the bulletin board located at the front door of the Appraisal District Office, Hartley. It is also posted at the Hartley County Clerk's office at the

Courthouse in Channing. The notice is also sent for posting to Hartley ISD, Channing ISD and emailed to Dalhart ISD, City of Channing, City of Dalhart, Moore County Hospital District, Dallam/Hartley Hospital District, and North Plains Water District.

What to post. All notices shall include the date, hour and place of the meeting, as well as the subject to be discussed. Emergency meeting notices must also give the reason for the emergency.

When to post. All notices for regular and called meetings will be posted at least 72 hours before the meeting. Notice of emergency meetings will be posted at least two hours before the meeting. If members of the media have requested notification by telephone or other electronic means of any emergency meetings, the board must do so.

Emergency Meetings

The board may call emergency meetings only when the reason for the meeting is to respond to an imminent threat to public health and safety or to a “reasonably unforeseeable” situation demanding immediate action. The “reasonably unforeseeable” situation must be one not within the control of the directors and one that could not have been anticipated.

The district court may review the reason the board gives in its emergency meeting notice. If the court finds the reason was not valid emergency, the court may invalidate any action the board takes during that meeting.

Executive Sessions

To hold an “executive” or closed session, the board must give notice of the meeting as required above. The notice must include the subject of the closed session as permitted by law. A quorum must be present at the meeting, and the board must convene in an open meeting before starting the closed session. The chair must announce the section of the Open Meetings Act that authorizes closing the meeting and the topic to be discussed and then may close the meeting.

The board should carefully consider which persons it will allow to attend an executive session. The Act permits members of the board to meet, but does not state who, besides members, may be included. Generally, the board should admit only those persons whose attendance is necessary to the specific purpose of the executive session.

An executive session may be held for the following reasons:

- To consult with an attorney about pending or contemplated court cases, settlement offers or other matters covered by the attorney-client privilege;
- To discuss leasing or acquiring real property, the value of real property or contracts for gifts or donations to the board, if making the discussions public would have an adverse effect on the board’s negotiating position; or
- To discuss individual personnel matters. The reason for closing this type of meeting is to protect the reputation of the employee. The employee to be discussed has a right to request that the meeting be open. In this case, the board may not hold an executive session. Because the reason is to protect individuals, the board may not close a meeting to discuss general personnel matters, such as employee salaries.

The board must keep either a “certified agenda” or tape recording of each closed session. The certified agenda must include the chair’s announcement of the beginning and end of the session, show the time and date, state the subjects of the discussion and record any further action taken. All written meeting minutes of the closed session and the tape recording of the closed session will be kept in a sealed envelope with the date and time of the closed meeting and kept in the fireproof safe at the appraisal district office.

The board may not take any official action during a closed session. All official actions must be taken in an open meeting.

It is the policy of the HCAD Board of Directors to keep minutes of all meetings and record all meetings on tape, whether they are closed or not.

Upon advice of the District's attorney the notice of meeting for the District will list all information as required by the Open Meetings Act as well as a detailed explanation of each line item.

III. Board Policies, Procedures & Duties

The appraisal district's effectiveness requires planning and cooperation among appraisal district directors, the chief appraiser, appraisal staff and taxing units. Policies and goals established by the board of directors are important to this effectiveness.

General Statement of Functions

The board of directors has the following primary responsibilities:

- Establish the appraisal district's appraisal office;
- Adopt the appraisal district's annual operating budget;
- Contract for necessary services;
- Hire a chief appraiser;
- Appoint appraisal review board members and other committees provided by law. HCAD has 5 appraisal review board members. The board of directors makes every effort to appoint members to represent all three school districts in Hartley County. The board of directors also appoints the chairman and secretary each year for the ARB.
- Provide advice and consent to the chief appraiser concerning the appointment of an agricultural appraisal advisory committee. HCAD has 5 members on the ag advisory committee.
- Approve contracts with appraisal firms selected by the chief appraiser to perform appraisal services for the district;
- Make general policies on the appraisal district's operation; and
- Biennially develop a written plan for the periodic reappraisal of all property within the district's boundaries that is presented at a public hearing. The plan is then distributed to the PTAD and all taxing units in the appraisal district.

Required Written Policies

State law requires the board to have some specific written policies. These policies are included in this manual.

In accordance with Section 6.05(i) of the Code, the board must develop a biennial written reappraisal plan and hold a public hearing to consider the plan. No later than September 15 of each even-numbered year, the appraisal district board must approve the reappraisal plan and distribute copies to the taxing units and the Comptroller within 60 days of board approval.

The plan is required to comply with the provisions of Section 25.18(b) of the Code. Certain activities are required to be conducted in the reappraisal of all real and personal property located in the appraisal district at least once every three years. In summary, those activities are:

- Identifying properties by physical inspection or other reliable means of identification (such as deeds, photographs, surveys, maps, and sketches);
- Identifying property characteristics;
- Defining market areas;
- Identifying property characteristics affecting value in market areas (such as location, physical attributes of property, legal and economic factors, and legal restrictions);
- Developing an appraisal model that reflects property characteristics and market areas;
- Applying the conclusions from the model to the characteristics of individual properties; and
- Reviewing the appraisal results to determine value.

These statutory requirements are consistent with the requirement of Section 23.01 of the Code that mandates compliance with the Uniform Standards of Professional Appraisal Practice. They are required to be included in the reappraisal plan approved by the board of directors.

Plan Accommodating Non-English Speaking & Disabled Persons

1. Hartley County Appraisal District is handicap accessible and has passed inspection for the State of Texas.
2. Hartley County Appraisal District will make every effort to accommodate disabled persons or non-English speaking persons in our office.
3. We have copies of the Texas Comptroller of Public Accounts publication Taxpayer's Right, Remedies and Responsibilities in English, Spanish and large print available to all persons.
4. If the need arises for an interpreter, we have available a teacher at Hartley School that could help as well as a Spanish speaking postmaster that can help with interpreting. We have found thus far that the Spanish speaking customers will bring someone that speaks English as well as Spanish.
5. XIT Communications offers a TTY service for the deaf. The phone # is 1-800-826-8802.
6. We will do everything possible to accommodate taxpayers/customers that may be disabled or who do not speak English. We are a very rural community and have limited resources but will endeavor to do all we can.

WRITTEN POLICY FOR PUBLIC ACCESS TO HCAD BOD:

If any member of the public wishes to file a complaint, submit comments or recommendations with the Board of Directors for Hartley County Appraisal District concerning the operations of the appraisal office or any other function over which the Board has responsibility, he or she may do so. Written correspondence to the chairperson of the Board outlining any complaint or concern should be delivered to the Chief Appraiser at the appraisal district office. The Chief Appraiser will deliver the written correspondence to the Board Members. The issues raised in such complaints or commentary will be discussed by the Board at the next scheduled public meeting, and public testimony will be invited. Pursuant to Section 6.04(g) Texas Property Tax Code the Board of Directors shall notify the parties to any complaint concerning its status on a quarterly basis until final disposition of the matter.

Further if any member of the public wishes to appear and speak at a board meeting concerning the operations of the appraisal office or any other function over which the Board has responsibility, there is an agenda item set aside for this. The agenda item is Audience with Taxpayers. The board will listen to the taxpayer. A time limit of 15 minutes can be set. No action can be taken by the board at this time. If the taxpayer wishes to be put on the agenda for the next meeting, they must follow the steps above.

Statutory Requirements

Although Chapter 6 of the Code contains most requirements for boards of directors to follow, other responsibilities are located in other chapters of the Code and other statutory provisions. Some specific Code sections that affect board responsibilities include:

- An appraisal office in the county in which the district is located shall be established. The board may create branch offices outside the county for the convenience of persons living outside the county, but they must be located inside the appraisal district. Section 6.05(a)
- The board may purchase or lease real property or construct improvements necessary to establish an appraisal office if approved by three-fourths of the voting taxing units. Section 6.05 (a)
- The board may convey real property owned by the district if approved by three-fourths of the voting taxing units and the proceeds are apportioned to the units according to the taxing unit's budget allocation. Section 6.051(c)
- The board is responsible for notifying all taxing units of a vacancy on the board and for selecting a replacement from nominees submitted. Section 6.03(l)
- The board may change the number of directors or method of selecting directors, or both, if all voting units agree. Section 6.031 (a)
- The board elects from its members a chair and secretary at its first meeting of the calendar year. HCAD has three officers, Chairman, Vice-Chairman, and Secretary. Section 6.04(a)
- The board shall appoint the chief appraiser.
- The board shall develop a biennial appraisal plan after a public hearing, approve the plan by September 15 of each even-numbered year, and distribute copies of the plan to the district's taxing units. Section 6.05(i)
- The board is required to adopt an annual budget before September 15, after holding a public hearing and meeting all requirements of the Code. Section 6.06 (b)
- The board shall give public notice of the budget and budget hearing by publishing a budget summary in a newspaper of general circulation in the appraisal district at least 10 days before the public hearing on the budget. Section 6.062 (a)
- The board may amend the approved operating budget after giving notice to taxing units. Section 6.06 (c)
- The board is required to adopt a new budget within 30 days after its budget is disapproved by the taxing units. Section 6.06 (b)
- The board may authorize the chief appraiser to disburse appraisal district funds. Section 6.06 (f)
- The chief appraiser is required to credit excess funds to the taxing units' payments for the following year if the payments made or due to be made by the units exceeded the amount actually spent or obligated to be spent by the appraisal district during the fiscal year for which the payments were made. If a taxing unit that participated in the appraisal district in the prior year is not participating in the district in the year a surplus is to be allocated, the chief appraiser is required to refund the proportionate surplus amount to the taxing unit within 150 days after the end of the fiscal year. Section 6.06 (j)
- The board must give its advice and consent to the chief appraiser's appointments to the agricultural advisory board and may determine the number of members of the advisory board. HCAD has five members on the ag advisory board. Section 6.12 (a)
- Laws concerning the preservation, microfilming, destruction or other disposition of records shall be followed. Section 6.13
- The board may change its fiscal year if three-fourths of the taxing units agree. Section 6.06 (i)
- The board may adopt staggered terms if three-fourths of the taxing units agree. Section 6.034 (a)
- The board and the taxing unit's governing body shall agree to an estimated budget allocation for new taxing units. Section 6.06 (h)
- The board may change the appraisal district's method of financing with the consent of all taxing units. Section 6.061 (a)

- The board designates the district depository at least once every two years. The board and the depository may agree to extend a depository contract for on additional two-year period. Section 6.09 (c)
- The board receives taxing units' resolutions disapproving board actions. Section 6.10
- The board is required to adhere to the same requirements as cities concerning competitive bidding procedures for purchases and contracts requiring expenditure of more than \$25,000. Section 6.11 (a)
- Through the Interlocal Cooperation Act, the governing body of a taxing unit may contract with the board to assess or collect taxes. Section 6.24 (a)
- The board of directors shall appoint appraisal review board members and has the power to change the number of appraisal review board members. HCAD has five ARB members. Section 6.41 (b)
- The board shall also adopt and implement a policy for the temporary replacement of an appraisal review board member. Section 41.66 (g)
- The board approves contract with private appraisal firms selected by the chief appraiser to perform appraisal services. Section 25.01 (b)
- The board shall have prepared an annual financial audit conducted by an independent certified public accountant and deliver a copy of the audit to each voting taxing units. Section 6.063
- The board may, by resolution, prescribe that particular actions of the chief appraiser concerning appraisal district finances or administration are subject to board approval. Section 6.06 (f)
- The board may approve in writing the chief appraiser's request to appeal an appraisal review board order to district court. Section 42.02
- The appraisal district (ie, board of directors) may be sued by the taxing units to compel the district to comply with the provisions of the Property Tax Code, Comptroller rules or other applicable law. Section 43.01

Limited Appraisal Authority

The board's authority over appraisals is limited. The board does not appraise property or review values on individual properties. The law assigns these tasks to the chief appraiser and the appraisal review board, respectively.

The board has no authority to review appraisal review board decisions. The board has no business reviewing exemptions, qualifications for special appraisal or taxability determinations.

The board does have some authority over appraisal policy through its duties to contract, budget and plan reappraisals. Through its contracting authority, the board determines how appraisals are performed – through in-house appraisal, a private appraisal firm or both. The district's operating budget reflects the board's decisions on handling appraisals. The board of directors also exercises its influence when it works with the chief appraiser to develop its biennial plan for periodic reappraisal of all property in the district.

The board exercises some authority over appraisals when it grants the chief appraiser its approval to appeal appraisal review board decisions to district court. The chief appraiser must be granted permission from the board of directors to appeal an appraisal review board order, settle lawsuits and direct litigation.

Local Officials' Conflict of Interest Laws

Board members are subject to two conflict of interest statutes. A conflict of interest occurs when a person in government has personal or business interests that may conflict with the interests of the public. Chapter 171, Local Government Code, is a conflict of interest statute that applies to all local officers, including appraisal district directors. Section 6.036 of the Code addresses conflicts of interest more specifically. The Local Government Code prohibits appraisal district directors from knowingly participating in a vote or decision on any matter involving a business entity or real estate

in which the member has a substantial interest. The law defines a “substantial interest” as an interest, held by members or their relatives in the first degree by blood and marriage, that is:

- 10 percent or more of the voting shares or stock in a business entity;
- \$15,000 or more of the fair market value of a business entity;
- 10 percent or more of the member’s gross income for the previous year is from the business entity; or
- a legal or equitable ownership of real property worth at least \$2,500 of the fair market value of the property.

Business entities include corporations, partnerships, holding companies, firms, sole proprietorships, joint-stock companies, receiverships, trusts or any other entity recognized in law, including non-profit corporations.

Substantial interests also include an interest held by relatives by affinity (marriage) and by consanguinity (blood) in the first degree in business entities and real estate. A member is in conflict as to relatives’ interests only if the member knows about the interest. The law does not require a member to procure financial statements from the member’s relatives.

Under the Local Government Code, a director who has a substantial interest in a matter before the board must do two things:

- file an affidavit declaring the extent and nature of the interest in the entity or property with the appraisal district’s record keeper; and
- abstain from voting or participating in discussions on any issue involving the interest.

Discussions include any talk about the subject in which the member has a substantial interest. For example, if the board of directors is involved in a lawsuit involving land in which a member has a substantial interest, the member may not participate in settlement discussions. When abstaining, the member should leave the board table and sit in the audience or leave the meeting room.

A violation is a Class A misdemeanor. In addition to criminal penalties, the district’s action involving a conflict of interest may be rendered void if the action would not have been adopted without the vote of the person who violated the act.

Directors are also subject to the prohibitions in Section 6.036 of the Code. Directors may not serve or be appointed if they have a substantial interest in a business entity that contract with the appraisal district, or with a taxing unit that participates in the district if the contract relates to the performance of an activity governed by the Code. The appraisal district and taxing units may not enter into a contract with a director or with a business entity in which the director has a substantial interest.

A “substantial interest” is defined in Section 6.036 as:

- the combined ownership of the director and the director’s spouse is at least 10 percent of the voting stock or shares of the business entity; or
- the director or director’s spouse is a partner, limited partner or officer of the business entity.

While the Local Government Code allows a governing body to contract for services or Personal property with a business entity in which a member of the body has a substantial interest if that business is the only one that could provide the needed services or product or is the only bidding on the contract, no such exception exists in the Code. The specific Code provision would prevail in a situation where a conflict of interest might exist.

When a question arises about the application of the Local Government Code and Section 6.036 of the Code, the board should consult an attorney before acting on the matter.

Conflicts Disclosure Statements

In addition to the laws related to conflicts of interest, Chapter 176 of the Local Government Code requires local government officers—or members of governing bodies of local governmental entities such as appraisal district, and administrators, such as the chief appraiser—to file conflicts disclosure statements under certain circumstances.

A director may be required to file a statement when certain persons or the persons' agents contract or seek to contract for the sale or purchase of property, good, or services with the district. The statement must be filed if these persons have (1) an employment or business relationship with directors or family members of the director that results in their receiving taxable income; or (2) given a gift with a value of more than \$250 in a 12-month period preceding the date of contract execution or consideration. The family member is a person within the first degree by consanguinity or affinity.

The statement—prescribed by the Texas Ethics Commission—must be filed with the chief appraiser within 7 business days of directors becoming aware of the relationships and contracts. A violation of this requirement is a Class C misdemeanor. (Please see attached form).

More information concerning the statements and when they must be provided should be sought from legal counsel.

Disapproval of Board Actions

Although board members may have been elected by specific voting taxing units, each director serves all taxing units in the appraisal district. At times, the board may take an action with which the majority of voting taxing units may disagree.

A majority of voting taxing units may veto any action by the board of directors. In addition, a majority of voting taxing units may veto the board's budget.

To veto a board action, the governing bodies of a majority of voting taxing units must adopt resolutions disapproving the action. The voting taxing units must file the resolutions with the board's secretary within 15 days after the action is taken. The board action is revoked effective the day after the day on which the required number of resolutions is timely filed.

To veto the board's budget, the governing bodies of a majority of voting taxing units must file the resolutions with the board secretary within 30 days of the budget adoption. The budget then does not take effect. The directors have 30 days after the disapproval date to adopt a new budget.

Selecting a Chief Appraiser

One of the board's most critical decisions is the selection of a chief appraiser. As the district's chief administrative officer, the chief appraiser implements goals and objectives set by board policy and are required to comply with the requirements of the Property Tax Code, Comptroller rules and laws.

Appointed by the board of directors, the chief appraiser serves at the pleasure of the board and is directly accountable to the board. All other appraisal district personnel are employed by and accountable to the chief appraiser.

Chief Appraiser's Qualifications

The board sets the chief appraiser's qualifications – HCAD board of directors has the following policy on qualifications for chief appraiser:

Qualifications for Chief Appraiser:

1. Must have RPA Certification with the TDLR.
2. Must have 2 years college or experience equivalency in business management, real estate, or tax related fields.
3. Must be able to work with the public well and have administrative abilities.
4. Must be able to perform the duties listed in the written job description for Chief Appraiser.

HCAD board of directors has the following procedures for hiring a Chief Appraiser:

Procedures for Hiring a Chief Appraiser:

1. The Board of Directors may consider hiring the Chief Appraiser in-house.
2. The Board of Directors may send out notification of a job opening for Chief Appraiser to Appraisal Districts in the area or statewide.
3. The Board of Directors may send notification to the professional organizations, TAAO and TAAD for printing in their publications.

4. The Board of Directors will post notification at the appraisal office in Hartley.
5. The Board of Directors will review all applications and call any applicants for an interview with the Board.
6. After all interviews the Board will make a decision on the most qualified applicant and notify that person as well as the others that applied.

Owing delinquent property taxes disqualifies a person from serving as chief appraiser. A person is ineligible to be appointed as a chief appraiser if he or she owns property on which delinquent property taxes have been owed for more than 60 days after the date the person knew or should have know of the delinquency.

This disqualification does not apply if the person is paying the delinquent taxes under an installment payment agreement or has deferred or abated a suit to collect the delinquent taxes.

A person is also disqualified from employment as the chief appraiser if the person is related within the second degree by consanguinity or affinity to a person who appraises property for compensation for use in proceedings before the appraisal district's appraisal review board or who represents property owners for compensation before the appraisal district's appraisal review board.

A chief appraiser who remains employed knowing he or she is related in this manner to an appraiser to tax representative commits a Class B Misdemeanor.

The chief appraiser is required by law to register with the Texas Department of Licensing and Regulation (TDLR) and have attained or be working toward a Registered Professional Appraiser (RPA) designation and complete the Chief Appraiser Training Program as stated in the Occupations Code 1151.164 effective 6/18/2005.

Chief Appraiser's Duties and Responsibilities

The chief appraiser has statutory and administrative responsibilities. The primary statutory duty is to discover, list, review and appraise all taxable property in the appraisal district using generally accepted appraisal techniques. These duties are:

CHIEF APPRAISER'S DUTIES AND RESPONSIBILITIES

Qualifications:

- Understand appraisal process
- Supervise and judge work progress
- Understand tax office procedure
- Understand tax record system
- Understand tax collection process
- Understand payroll records
- Registered Professional Assessor or working toward RPA and capable of attaining RPA
- Meet public and make decisions under pressure
- Prepared to accept critical comments and complaints gracefully

Administrative Duties:

- Executive officer of Appraisal Board
- Schedule and prepare agendas
- Post meeting notices
- Hire and fire all employees
- Schedule work; determine salary, policy, retirement, insurance, etc for all employees

Prepare property value studies for Property Tax Assistance Division
Prepare records for audits
Prepare appraisal district budget and allocate to jurisdictions

Appraisal Duties:

Responsible for 100% valuation of all property in each taxing jurisdiction within the appraisal district
Prepare appraisal notices
Prepare estimates of value for entities
Process all appraisal protests
Notify all contested values of final decision
Prepare and deliver final appraisal rolls for each jurisdiction for tax rolls
Approve all exemptions

Tax Records:

Appraisal cards
Ownership maps
Appraisal Rolls
Alpha lists
Coding system
All changes in: exemptions, addresses, ownership, splits, description, and value

Exemptions:

Ag-use applications
Homesteads & Over-65
Veterans
Disability
Tax ceiling (school districts)

Miscellaneous:

Tax collections
Property Tax Division guidelines & standards
Legislative and Constitutional changes
Board of Review orientation
Recommend and approve all professional appraisal contracts.

The chief appraiser is prohibited from employing or contracting with an individual or the spouse of an individual who is related to him or her within the first degree by consanguinity or affinity.

Relationship with Chief Appraiser

The board of directors must be fully informed of appraisal district operations by reports from the chief appraiser. Open communication between the chief appraiser and the board is important. The chief appraiser must know about the board's goals and policies to implement them. The directors should know about the district's operations to ensure that the chief appraiser is implementing their policies and working to achieve their goals.

Normally, the board will direct the chief appraiser to handle preparations for board meetings, including notifying members, setting the agenda, posting open meetings notices and sending information to members.

Public Access Functions

To improve communications between the appraisal district and taxpayers, the Code requires the appraisal district board of directors to adopt policies for public access to the board, to inform the public of the board's duties and to provide procedures for resolving complaints. These policies and procedures are available to the public. They are listed below:

**HARTLEY COUNTY APPRAISAL DISTRICT
POLICY FOR PUBLIC ACCESS TO
HARTLEY CAD BOARD OF DIRECTORS**

If any member of the public wishes to file a complaint, submit comments or recommendations with the Board of Directors for Hartley County Appraisal District concerning the operations of the appraisal office or any other function over which the Board has responsibility, he or she may do so. Written correspondence to the chairperson of the Board outlining any complaint or concern should be delivered to the Chief Appraiser at the appraisal district office. The Chief Appraiser will deliver the written correspondence to the Board Members. The issues raised in such complaints or commentary will be discussed by the Board at the next scheduled public meeting, and public testimony will be invited. Pursuant to Section 6.04(g) Texas Property Tax Code the Board of Directors shall notify the parties to any complaint concerning its status on a quarterly basis until final disposition of the matter.

**HARTLEY COUNTY APPRAISAL DISTRICT
RESPONSIBILITIES OF THE BOARD OF DIRECTORS**

The appraisal district board has six basic responsibilities:

1. **ESTABLISH AN OFFICE.** The appraisal district office houses the administrative center of the appraisal district where the chief appraiser and staff appraisers work and where maps and records reside. Most appraisal districts operate an independent office, but a district can choose to contract with a private appraisal firm to perform appraisal activities.
2. **HIRE A CHIEF APPRAISER.** The chief appraiser heads the appraisal district office. The board is free to select anyone for the position, and the board and the chief appraiser negotiate the terms of employment.
3. **APPOINT AN APPRAISAL REVIEW BOARD (ARB).** The ARB reviews appraisal records and hears protests and challenges regarding the records. ARB members may not serve on the appraisal district board or be employees or officers of the Comptrollers office, the appraisal district, or a taxing unit, must never have served on a board of directors for a taxing unit that is served by this county. ARB members are now required by law to attend a training seminar each year. The Board of Directors is now required to appoint the chairman and secretary of the ARB.
4. **ADOPT A BUDGET.** The appraisal district budget establishes financial guidelines for the appraisal district office. By June 15, the chief appraiser gives the board a preliminary budget to review. By September 15, the board must adopt a final budget and notify taxing units about the decision. If governing bodies of a majority of the voting taxing units adopt resolutions disapproving a budget and file them with the secretary of the board within 30 days after budget adoption, the budget does not take effect and the board must adopt a new budget.

5. **PROVIDE FOR NECESSARY SERVICES.** Contractual agreements are an important part of appraisal district operation. Through contracts, the district may get appraisal services, computer services, legal services, certain supplies, bank services, maps, and aerial photography. Many contractual activities districts to have written bidding policies.
6. **MAKE GENERAL POLICY FOR THE DISTRICT.** Clear policies are essential to the smooth operation of an appraisal district. Some policies respond to legal requirements in the Property Tax Code, such as a policy for procedures at budget hearings. Many policies cover situations not addressed in the laws or rules, such as policies for handling taxpayer complaints.
7. **BIENNIALLY DEVELOP A WRITTEN REAPPRAISAL PLAN.** Biennially develop written plan for the periodic reappraisal of all property within the district's boundaries.
8. **PROVIDE CONSENT ON APPOINTMENT OF AG ADVISORY BOARD.** The Board of Directors provide advice and consent to the chief appraiser concerning the appointment of an agricultural appraisal advisory board and determine the number of members to that advisory board.

The HCAD board of directors lists on each agenda "audience with taxpayers". This is a time for citizens to come before the board for public comments on activities of the appraisal district. The HCAD board of directors has a sign in sheet for all persons to sign that come to a board meeting.

Public Information Act

The board of directors is required to complete a training course on the Public Information Act not later than the 90th day after taking the oath of office. The course is offered by the Office of Attorney General. See this information under Open Meetings for Attorney Generals information.

HCAD board of directors' policy for open records is:

Hartley County Appraisal District Policy on Open Records Request

1. The district must receive an open records request in writing.
2. All records are open to the public unless otherwise stated in the Public Information Act, Chapter 552, Government Code.
3. The district shall have 10 days to comply with the request or request an open records decision from the attorney general.
4. The district may charge a nominal/customary charge for any copies made.
5. All Open Records request will be kept in a file at the appraisal office.

Information maintained for the district is open if the district either owns the record or has a right of access. With some specific exceptions, the Act requires the appraisal district to make records available to citizens during normal business hours. The Act required the chief appraiser as the chief administrative officer of the district to serve as the public information officer.

As the appraisal district's governing body, the board of directors is responsible for ensuring that the district complies with the Act.

When the district receives a written request for disclosure, the district has 10 business days to respond, according to law. The board, through the chief appraiser, must either provide the records

for inspection or request an open records decision from the attorney general, unless there has already been a decision that the records are confidential. If the district believes a record is confidential, but does not request an open records decision within 10 business days and no prior decision on the issue exists, the record is presumed open after 10 business days.

The burden of proving a record is confidential is on the district. The board's request for a decision must explain why it believes the record is confidential and be accompanied by the requested records. The attorney general will not disclose the records unless a determination is made that the information is subject to disclosure.

To request an attorney general open records decision, write: Office of the Attorney General, Attn: Opinions Committee, PO Box 12548, Austin, TX 78711-2548. For information on requesting an opinion, go to the Texas Attorney General's website at www.oag.state.tx.us/opinionopen/og_resources.shtml or call the Open Government Hotline toll-free at 1-877-673-6839.

Violation of the Public Information Act is a criminal offense of official misconduct. Persons who deliberately or negligently fail to give access to open records or who disclose confidential records are subject to six months confinement in jail, a fine of up to \$1,000 or both. As a result, it is important to consult an attorney with any question or seek advice from the Attorney General.

Records Custodian and Retention

The chief appraiser is the custodian of appraisal district records. The chief appraiser may delegate responsibilities to staff, but remains accountable for the preservation and care of district records. The custodian's responsibilities are to:

- Ensure that records are available for public inspection and copying;
- Protect and preserve records from deterioration, loss, theft, alteration and destruction;
- Repair, renovate, and rebind records when necessary;
- Provide public access to public appraisal district records without asking the person making the request for any information other than personal identification and a description of the records being requested;
- Provide a reasonably comfortable place for persons to use while inspecting the records; and
- Give access to the requested records for 10 business days and extend that period for another 10 business days on the written request of the person inspecting the records. Records in use or in storage must be made available within a reasonable time and at a date set in writing and given to the requesting person.

The HCAD has a Record Management Plan that has been filed with the Texas State Library, State and Local Records Management Division. This information is filed in the Records Management Plan book. The website for Texas State Library, State and Local Records Management Division is www.tsl.state.tx.us and by phone at 512.454.2705. The records retention schedule is at www.tsl.state.tx.us/slr/record-spubs/tx.html.

Charging for Public Records

The Office of the Attorney General is responsible for developing guidelines for charging for public information records. State and local government agencies must follow the cost schedules when charging for copies of public information. HCAD has the following charges to the public for information:

**PUBLIC INFORMATION ACT
TEXAS GOVERNMENT CODE
CHAPTER 552**

The Public Information Act. Texas Government Code, Chapter 553, gives you the right to access government records; and an officer for public information and the officer's agent may not ask why you want them. All government information is presumed to be available to the public. Certain exceptions may apply to the disclosure of the information. Governmental bodies shall promptly release information that is not confidential by law, either constitutional, statutory, or by judicial decision, or information for which an exception to disclosure has not been sought.

Contact:

**HARTLEY CAD
1011 4th St
P O BOX 405
HARTLEY TX 79044-0405**

**PH: 806-365-4515
FAX: 806-365-4582
EMAIL: hcadchicks@hotmail.com**

HARTLEY CAD FEES:

Appraisal Card \$.25 per page
Parcel Information \$1.00 per parcel
Copies of Minutes of Public Meetings \$.25 per page or \$1.50 per CD
Tax Certificate \$10.00 per parcel (required on parcels with delinquents)
Duplicate Tax Statement \$1.00 each

Printed Appraisal/Tax Roll \$50.00 + postage
Appraisal/Tax Roll on CD (pdf only) \$25.00 + postage
Appraisal/Tax Roll via email \$25.00
Printed Mineral Roll \$25.00 + postage
Mineral Roll on CD \$15.00 + postage
Mineral Roll via email \$15.00

Maps \$10.63 Small
\$26.56 Large
\$53.13 County

Effective 1/1/2010

IV. The Appraisal Office

Directors need to know what facilities, equipment, supplies, special services and records necessary to operate and maintain an appraisal office. While the administrative duties of the office are the responsibility of the chief appraiser, the board is responsible for the performance of the chief appraiser and therefore must be aware of the duties. Some appraisal districts may have contracted with other appraisal offices or taxing units to perform the duties of the appraisal office for the district, as allowed by Section 6.05 of the Code. Should those districts end such a contract and decide to establish a separate office, a review of this section may be helpful.

Office Space

In selecting office space, the board of directors should consider location, availability of parking, storage space, and convenience to property owners. Adequate room for appraisal review board hearings should also be provided.

The board of directors may purchase or lease real property and may construct a building to establish and operate an appraisal district or branch appraisal office. The governing bodies of three-fourths of the taxing units entitled to vote on the appointment of directors must approve the purchase or sale of real property of the construction or renovation of an improvement.

Once the board of directors proposes a property transaction by resolution, the chief appraiser notifies the presiding officer of each governing body entitled to vote on the proposal, including costs of other available alternatives. Within 30 days after receiving the proposal, the taxing unit may approve or disapprove the proposal by resolution. If the governing body fails to act within 30 days or fails to file its resolution with the chief appraiser within 40 days after receiving the proposal, disapproval by the governing body is automatic.

The board of directors must credit proceeds of the sale of real property to each taxing unit participating in the district in proportion to the unit's allocation of the appraisal district budget in the year of the sale.

Equipment and Supplies

Appraisal office operations may require the purchase or leasing of special equipment and supplies. Such items may be for appraisal operations, mapping, data processing and clerical needs.

HCAD policy on purchasing equipment and supplies is:

- Anything over \$3,000. must be approved by the board of directors
- All purchases of supplies and equipment under \$3,000 must be approved by the chief appraiser.
- The district will endeavor to purchase quality products at the best price available by checking prices with area vendors as well as larger vendors (ie Staples, Office Depot).
- All purchases will be reviewed upon delivery and checked for accuracy.
- Any purchases over \$50,000 must comply with Local Government Code Section Chapter 252 Subchapter B, Section 252.021 for taking competitive sealed bids.

Appraisal Services

The chief appraiser, with approval of the board of directors, may contract with a private appraisal firm to provide appraisal services to the district. Some appraisal districts rely on private firms for a broad range of functions. Others may contract with firms to appraise specialized properties, such as oil and gas or utilities. Still others may employ in-house staff to handle all property appraisals.

It is essential that the chief appraiser and board of directors take the necessary steps to ensure satisfactory performance on the part of the appraisal firms. Concerns to be addressed include:

- Preparing specifications of the work to be done;
- Defining the scope of the work, standards of performance desired and responsibilities of both the appraisal firm and the appraisal office;
- Specifying the dates that the appraisals will be reviewed and completed;
- Reviewing work performance throughout the contract; and
- Specifying other factors affecting the district's working relationship with the private firm.

Computer Service

An appraisal district may operate its computer services internally or it may lease services from a private firm or another governmental agency. Services offered may vary from printing the appraisal roll to computer-assisted mass appraisal programs.

Certain computer-assisted functions are required by law. Section 1.085 of the Code provides that property owners whose property is included in 25 or more accounts are entitled to receive notices of appraised value, pursuant to Section 25.19 of the Code, in electronic format. The chief appraiser is required to enter an agreement for that purpose if requested by a property owner and shall deliver the notice in accordance with the electronic medium, format, content, and method prescribed by the Comptroller. Comptroller Rule 9.4037 provides for the format for these electronic notices. All appraisal districts are required to comply with this provision, and therefore, they must have computer capability.

HCAD has the following form for this purpose:

**HARTLEY COUNTY APPRAISAL DISTRICT
REQUEST TO RECEIVE APPRAISAL NOTICES IN ELECTRONIC FORMAT**

I AM REQUESTING MY HARTLEY COUNTY APPRAISAL DISTRICT NOTICES OF APPRAISED VALUE BE SENT BY ELECTRONIC FORMAT, PURSUANT TO SECTION 25.19 OF THE PROPERTY TAX CODE FOR TAX YEAR _____.

Owners Signature

Date

LIST ALL NAMES ON PROPERTIES BEING REQUESTED:

Please be aware that any name NOT listed will not be included in the electronic format.

Email Address

****This form must be signed and sent to the appraisal office every year to ensure the notices are sent to the property person.**

Mapping System

In meeting the chief appraiser's principal responsibility to locate, record and appraise all property in the appraisal district, a complete set of maps is indispensable. Maps enable appraisers to locate each real property parcel, identify its size and shape and determine its relationship to factors that affect its value. Maps also serve to display market and statistical data, appraisal comparisons and land appraisals. They are also valuable when presenting evidence in court.

Comptroller Rule 9.3002 requires each appraisal office to establish and maintain a system of tax maps. Depending on the sophistication of the map system established by the appraisal district, the types of needed equipment and supplies will vary, as will the costs. However, once developed and maintained, maps will also be useful for taxing units in the district.

HCAD has a mapping service, CAD-MAP, which maintains all of the maps the district uses. The appraisal office does all of the updating on ownership to the maps and sends them to CAD-MAP to update. HCAD has procedures in place for updating all of their maps. These maps are given to all of the taxing entities in our appraisal district every year when they are updated. The district also sells the maps to the public which helps to defray the cost of maintaining the maps.

HARTLEY COUNTY APPRAISAL DISTRICT PROCEDURES FOR MAPPING UPDATES

1. Deed/Ownership changes are made to properties.
2. Existing appraisal cards are pulled and new information is recorded on existing appraisal cards (new ownership information & all deed information).
3. New appraisal cards are made and filed in the filing cabinet with appraisal cards. Old appraisal cards are put in a box. The map tech then records the new ownership information on the work map and files the old card in the appropriate drawer.
4. Changes are made to the work map from November of the previous year until October 1 of the current year. The work maps are then sent to CAD Map for updating. Cad Map then sends us updated maps by the end of October or first of November.
5. We have maps available for sale to the public. Any map sales will include sales tax. Map prices are: small city map \$10.00, large city map \$25.00, county map \$50.00. The sales tax amount for Hartley is 6.25%. Hartley CAD has a Texas Sales and Use Permit issued by the Texas State Comptroller's office.

Records System

Comptroller Rule 9.3003 requires the appraisal district to develop and maintain a uniform tax records system. Such a system must include:

- Appraisals cards
- Maps
- Rendition forms
- Report of decreased value forms
- Appraisal records of all property
- Tax roll of any taxing unit for whom the appraisal office assesses or collects
- Delinquent tax roll of any taxing unit for whom the office collects
- Alphabetical index of property owners
- Partial exemption lists
- Absolute exemption lists; and
- Lists of properties receiving appraisal as open-space land, agricultural use, timber use, recreational park and scenic land and public access airports.

V. Appraisal District Financial Affairs

Participating taxing units pay for all appraisal district operations. The appraisal district directors' financial responsibilities include adopting an annual operating budget, selecting a district depository, engaging in competitive bidding procedures, contracting, purchasing, setting accounting methods and auditing.

Annual Operating Budget

Before June 15th of each year, the chief appraiser submits to the board a proposed budget for the upcoming fiscal year. The district's fiscal year is the calendar year.

The proposed budget must provide the following information:

- Each proposed employee position to include:
 - The proposed salary of each position
 - All benefits for each position
- Each proposed capital expenditure; and
- An estimate of the amount of the budget to be allocated to each taxing unit

Other items commonly included in the budget are:

- Contract payments for services
- Reimbursement for reasonable and necessary appraisal district director expenses
- Per diem or actual expense reimbursement for appraisal review board members
- Compensation for attorneys hired for the appraisal district, appraisal review board or both
- Reimbursement of appraisal office staff for reasonable and necessary expenses
- Payment of tuition and fees incurred for courses or educational programs
- Funds for appraisal review board proceedings and operations
- Other items necessary for appraisal district operations

If an appraisal district performs collection or assessment services, a separate budget is required from the main appraisal district budget. Only units using these services pay for them, so the chief appraiser shall budget separately for these services. This separation requires allocating costs only to the taxing units receiving the services.

Public Hearing and Publication of Budget

The board of directors must hold a public hearing, subject to the requirements of the Open Meetings Act, to consider the budget. This hearing gives taxing units and the public an opportunity to observe and comment on how funds are being spent.

The law does not require the board to hold the hearing on a specific date, but the budget must be finally approved before September 15. The September 15 date permits taxing units participating in the district to include their share of appraisal district cost in their own budgets.

If the fiscal year has been changed, the chief appraiser must prepare a proposed budget before the 15th day of the seventh month preceding the first day of the fiscal year established by the change. HCAD's fiscal year is the calendar year. The board of directors must adopt a budget for the fiscal year before the 15th day of the fourth month preceding the first day of the fiscal year established by the change.

Before the board holds the budget hearing, the board's secretary must deliver to the presiding officer of the governing body of each taxing unit in the district written notice of the date, time and place of the hearing. The secretary must deliver this notice no later than the 10th day before the date of the budget hearing.

Not later than 10 days before the public hearing date, the chief appraiser must publish a notice of the hearing in the newspaper. The one-quarter page notice must be published in a newspaper or tabloid of general circulation in the appraisal district's county. Hartley County does not have a newspaper available. The Dalhart Texan is in Dallam County and this is the newspaper that the district uses. It is the closest. The notice may not be published in the part of the paper in which legal notices and classified advertisements appear.

Comptroller Rule 9.3048 sets out the content of the notice. The notice must state where and when the public hearing will be held, the total amount of the proposed budget, the amount the proposed budget is increased from the current year, the number of employees compensated under the proposed budget. The notice must also state the name, address and telephone number of the appraisal district and, at the chief appraiser's option, a statement explaining any significant differences between the current and the proposed budgets. The notice must also state that the appraisal district is supported solely by payments from taxing units in the appraisal district. In addition, the notice must contain the following statement:

"If approved by the appraisal district board of directors at the public hearing, this proposed budget will take effect automatically unless disapproved by the governing bodies of the county, school districts and cities served by the appraisal district. A copy of the proposed budget is available for public inspection in the office of each of those governing bodies"

HCAD used the Comptroller's form 50-196 Notice of Public Hearing on Budget to publish in the newspaper and send to all of the taxing entities.

Voting taxing units may veto the approved budget. The voting taxing units in HCAD are: Hartley County, Hartley ISD, Channing ISD, Dalhart ISD, City of Channing and city of Dalhart. To veto, a majority of the voting taxing units must pass resolutions disapproving the adopted budget. These units must file resolutions with the board's secretary within 30 days after the date the budget is adopted. If enough veto resolutions are filed, the budget does not take effect. The board must adopt a new budget within 30 days of disapproval. Whether a new budget publication is required before the hearing to adopt a new budget is unclear. **Advice from legal counsel should be requested.**

The board of directors may amend the approved budget if the board's secretary delivers to the presiding officer of each taxing unit's governing body a written copy of the amendment proposal. The secretary must deliver this notice at least 30 days before the date the board intends to act on the amendment.

Voting taxing units may disapprove a budget amendment under the general authority given to taxing units to disapprove a board action. Voting taxing units must file disapproval resolutions with the board's secretary by majority of the voting taxing units with 15 days of the amendment's adoption.

Each taxing unit must pay its share of the budget in four equal installments, due at the end of each calendar quarter (December 31, March 31, June 30 and September 30). The first payment is due before January 1 of the year in which the budget takes effect. A taxing unit's governing body and the chief appraiser, however, may agree on a different method of payment.

If a taxing unit does not pay on time, the payment becomes delinquent and incurs a penalty of 5 percent of the payment amount. Interest accrues at an annual rate of 10 percent. The appraisal district has no authority to waive or rescind the penalty and interest imposed on a delinquent payment.

If the budget is amended, any change in the amount of a unit's cost allocation is apportioned among the payments remaining.

Allocating an Appraisal District's Costs

Each participating taxing unit pays a share of the appraisal district budget. Section 6.06(d) of the Code specifies how to determine each unit's share. The appraisal district's costs for assessing or collecting taxes under contract with taxing unit(s) may not be included in the district's budget for the appraisal operations. The formula for calculating a taxing unit's share of the budget is:

$$\frac{\text{Unit's Tax Levy}}{\text{Total Tax Levy of All Units}} = \text{Unit's Fractional Share}$$

The chief appraiser calculates the unit's share by dividing the current taxes levied by the unit on property in the appraisal district by the current total taxes levied by all taxing units on property in the district. The resulting fraction is multiplied by the total dollar amount of the budget. Only the taxes imposed by a unit on property in an appraisal district are used to calculate the unit's allocation in the district. The taxing units that are part of the HCAD are: Hartley County, North Plains Water District, Moore County Hospital District, Dallam/Hartley Hospital District, City of Channing, Hartley ISD, Channing ISD, City of Dalhart and Dalhart ISD.

Section 6.06(d) provides a limitation for a taxing unit that has very few parcels of property but has a large tax levy. If the unit has less than 5 percent of the total number of parcels in the district, but imposes more than 25 percent of the taxes in the district, the unit's allocation may not exceed three times its percentage of parcels. For example, a taxing unit has 4 percent of the parcels but imposes 30 percent of the taxes. Its normal budget share would be 30 percent, but under this rule, the share may not exceed 3 times 4 percent or 12 percent.

A school district may have annexed property from another school district in another county for state funding purposes. The school district pays to each appraisal district in which it has territory, based on the amount of taxes levied on the property in the territory.

Changing the Allocation Method

Either the board of the participating units may change the statutory allocation method. The board of directors may do so by passing a resolution making the change and delivering copies to the participating taxing units after June 15 and before August 15. The change takes effect if no taxing unit files a resolution opposing it. If any taxing unit that participates in the district adopts a resolution opposing the change and files the document with the board prior to September 1, the change cannot take effect.

Voting taxing units may also change the method of allocating payment. To make the change, the governing bodies of three-fourths of the voting taxing units must adopt appropriate resolutions and file them with the chief appraiser after April 30 and before May 15.

A change in allocation method made by either the directors or by the voting taxing units remains in effect until changed or rescinded by resolution of a majority of the governing bodies of voting taxing units.

Selecting a Depository

The board is required to select a depository for appraisal district funds at least once every two years and until its successor is designated and has qualified. Selection is by competitive bidding. The requirements for selecting a depository are listed below.

- The depository must be a Texas or United States banking corporation or a savings and loan association with deposits insured by the Federal Savings and Loan Insurance Corporation.
- The board must choose the financial institution(s) which offer the most favorable terms and conditions for handling the district's funds.

- The board must solicit bids at least once in each two-year period. The board and the depository may agree to extend a depository contract for one additional two-year period.
- To the extent that funds in the depository are not insured by the Federal Deposit Insurance Corporation or the Federal Savings and Loan Insurance Corporation, the depository must secure funds in the manner provided by law for the security of funds of counties.

Hartley CAD general account and collections account have pledged securities from the banking institution to cover any amounts that might exceed the FDIC insured amounts. During the months of heavy collections, the pledged securities and FDIC amounts are checked on a regular basis to insure that deposits do not exceed the FDIC and pledged security amounts.

Investing Public Funds

Government Code Chapter 2256, known as the Public Funds Investment Act applies to local governments and addresses authorized investments. It also deals with public finance requirements generally. Each governing body of a political subdivision may purchase, see and invest its funds as provided by this chapter. For more information about public funds investment, the text of Chapter 2256 can be found at www.capitol.state.tx.us/statutes/gv.toc.htm. You should also consult your attorney and/or financial advisor about the legal obligations that exist.

HCAD has an investment policy in place. However, at this time there are not funds to invest. All of the fund balance has been designated to legal expenses and the Methods and Assistance Program expenses. The general account is an interest bearing account, the collections account is not.

Attached is HCAD's investment policy:

HARTLEY COUNTY APPRAISAL DISTRICT Investment Policy

Introduction: Section 2256.023 of the Education Code, enacted by the 74th Legislature in 1995, requires that the investment officer(s) of any political subdivision to prepare and submit to the governing board a report of investment activity and portfolio position on a quarterly basis.

Policy: It is the policy of the Hartley CAD to invest public funds in a manner which will provide the highest investment return with the maximum security while meeting the daily cash flow demands of the entity and conforming to all state and local statutes governing the investment of public funds.

Scope: This investment policy applies to all financial assets of the Hartley CAD. These funds are accounted for in the Hartley CAD Comprehensive Annual Financial Report and shall include:

1. General Operating Fund; and
2. Fund Balance

All monies in these funds are invested in:

1. Interest bearing checking accounts;
2. Money Market accounts; or

Annual Review: The investment policy and the investment strategy shall be reviewed

by the Board not less than annually.

**Annual
Audit:**

The Board shall require a compliance audit of management controls on investments and adherence to the Boards' established investment policies. The compliance audit shall be performed in conjunction with the annual financial audit.

**Investment
Officer:**

The Board shall designate **the Chief Appraiser** as investment officer to be responsible for the investment of its funds.
Government Code 2256.005.

**Investment
Training:**

The investment officers of the District shall attend at least one training session relating to their respective responsibilities under the Public Funds Investment Act within 12 months after taking office or assuming duties. *Government Code 2256-008.*

**Standard of
Care:**

Investments shall be made with judgment and care under prevailing circumstances that a person of prudence, discretion and intelligence would exercise in the management of his or her own affairs, not for speculation, but for investment, considering the probable safety of capital and the probable income to be derived. Investments shall be governed by the objectives specified in *Government Code 2256.006*, in the order of priority specified therein.

In determining whether an investment officer has exercised prudence with respect to an investment decision, the following shall be taken into consideration:

1. The investment of all funds, rather than the prudence of a single investment, over which the officer had responsibility.
2. Whether the investment decision was consistent with the Board's written investment policy.

Government Code 2256.006.

Personal

Investment: A district investment officer who has a personal business relationship with an entity seeking to sell an investment to the District shall file a statement disclosing that personal business interest. An investment officer who is related within the second degree of affinity or consanguinity, as determined by Government Code Chapter 573, to an individual seeking to sell an investment to the District shall file a statement disclosing that relationship with the Board and with the Texas Ethics Commission.

Government Code 2256.005(i).

**Quarterly
Reports:**

Not less than quarterly, the District's investment officer shall

prepare and submit to the Board a written report of investment transactions for all funds covered by the Public Funds Investment Act for the preceding reporting period. This report shall be presented to the Board not less than quarterly, within a reasonable time after end of the period. The report must:

1. Contain a detailed description of the investment position of the District on the date of the report.
2. Be prepared jointly and signed by all District investment officers.
3. Contain a summary statement of each pooled funds group that states:
 - a. Beginning market value for the reporting period.
 - b. Additions and changes to the market value during the period.
4. State the book value and market value of each separately invested asset at the beginning and end of the reporting period by the type of asset and fund type invested.
5. State the maturity date of each separately invested asset that has a maturity date.
6. State the account or fund or pooled group fund in the District for which each individual investment was acquired.
7. State the compliance of the investment portfolio of the District as it relates to the District's investment strategy expressed in the District's investment policy and relevant provisions of law. *Government Code 2256.02*

Authorized Investments

The investment officer may purchase, sell, and invest the funds and funds under the District's control in investments described below, in compliance with the adopted investment policies and according to the standard of care set out in this policy.

Government Code 2256.003; Education code 45.209.

The following investments are authorized:

1. Obligations of, guaranteed by governmental entities:
 - a. Obligations of the United States or its agencies and instrumentalities.
 - b. Direct obligations of the State of Texas or its agencies and instrumentalities.
 - c. Collateralized mortgage obligations directly issued by a federal agency or instrumentally of the United States, the underlying security for which is guaranteed by an agency

or instrumentality of the United States.

- d. Other obligations, the principal and interest of which are unconditionally guaranteed or insured by, or backed by the full faith and credit of, the State of Texas, the United States, or their respective agencies and Instrumentalities.
- e. Obligations of states, agencies, counties, cities and other political subdivisions of any state rated as to investment quality by a nationally recognized investment rating form not less than A or its equivalent.

Government Code 2256.009(a).

2. Certificates of deposit or share certificates issued by a state or national bank domiciled in Texas or a savings and loan association domiciled in Texas or a state or federal credit union domiciled in Texas that is guaranteed or insured by the FDIC or its successor or the National Credit Union Share Insurance Fund or its successor and is secured by obligations described in Item 1 above, including mortgage-backed securities directly issued by a federal agency or instrumentally that have a market value of not less than the principal amount of the certificates or secured in any other manner and amount provided by law for the deposits of the District.

Acts of the 74th Legislative Session, Chapter 32.

3. Fully collateralized repurchase agreements that have a defined termination date, are secured by obligations of the United States or its agencies and instrumentalities, are pledged to the District or third party selected and approved by the Board, and placed through a primary government securities dealer, as defined by the Federal Reserve or a financial institution doing business in Texas. *Government Code 2256.011.*

4. Banker's acceptance, with a stated maturity of 270 days or fewer from the date of issuance that will be liquidated in full at maturity, which is eligible for collateral for borrowing from a Federal Reserve Bank, and is accepted by a bank meeting the requirements of Government Code 2256.012(4). *Government Code 2256.012*

5. Commercial paper that has a stated maturity of 270 days or fewer from the date of issuance and is rated not less than A1-1 or P-1 or an equivalent rating by at least two nationally recognized credit rating agency provided the commercial paper is fully secured by an irrevocable letter of credit issued by a bank organized and existing under U.S. Law of the law of any state. *Government Code 2256.01*

6. The following types of mutual funds are authorized:

- a. A no-load money market mutual fund that:
 - (1) is regulated by the SEC.
 - (2) has a dollar-weighted average stated maturity of 90 days or fewer.
 - (3) includes in its investment objectives the maintenance of a stable net asset value of \$1 for each share.

- b. A no-loan mutual fund if the fund:
 - (1) is registered with the SEC
 - (2) has an average weighted maturity of less than two years
 - (3) is invested exclusively in obligations approved by Government Code Chapter 2256, Subchapter A, regarding authorized investments (Public Funds Investments Act)
 - (4) is continuously rated as to investment quality by at least one nationally recognized investment rating firm of not less than AAA or its equivalent
 - (5) Conforms to the requirements in Government Code Section 2256.016(b) and (c) relating to the eligibility of investment pools to receive and invest funds of investing entities.

Investments in either type of mutual fund shall be limited to the percentages authorized by Government Code 2256.014(c).

Government Code 2256.014.

- 7. A public funds investment pool meeting the requirements of Government Code 2256.016-2256.019, if the Board authorizes the investment in the particular pool by resolution.

Government Code 2256.016-2256.019

Exceptions: The following are not authorized investments in the Public Funds Investment Act:

- 1. Obligations whose payment represents the coupon payments on the outstanding principal balance of the underlying mortgage-backed security collateral and pays no principal.
- 2. Obligations whose payment represents the principal stream of cash flow from the underlying mortgage-backed security collateral and bears no interest.
- 3. Collateralized mortgage obligations that have a stated final maturity date of greater than ten years.
- 4. Collateralized mortgage obligations the interest rate of which is determined by an index that adjusts opposite to the changes in a market index.
Government Code 2256.009(b)

Sellers of Investments

A written copy of the investment policy shall be presented to any person seeking to sell an authorized investment to the District. The registered principal of the business organization seeking to sell an authorized investment shall include a written instrument stating:

- 1. The registered principal has received and thoroughly reviewed the

District's Investment Policy; and

2. The registered principal acknowledges that the business organization has implemented reasonable procedures and controls in an effort to preclude imprudent investment activities arising out of investment transactions conducted between the District and the organization.

The investment office of the District may not buy an securities from a person who has not delivered to the District an instrument in substantially this form.

Government Code 2256.005(k), (l)

**Electronic
Funds
Transfer**

The District may use electronic means to transfer or invest all funds collected or controlled by the District.

Government Code 2256.051

OTHER REVENUES INVESTMENTS

**Investment
Authority**

The Board of Directors shall authorize by resolution, the Chief Appraiser to designate an employee who shall serve in addition to the Chief Appraiser as an investment officer of the District. The investment officer shall recommend appropriate legally authorized and adequately secured investments, and shall invest District funds as directed by the Board and in accordance with the District's written investment policy and generally accepted accounting procedures. The investment officer shall be bonded or shall be covered under a fidelity insurance policy.

**Approved
Investment
Instruments**

From those investments authorized by law and described further in CDA (legal), the Board shall permit investment of District funds in only the following investment types, consistent with the strategies and maturities defined in this policy

1. Obligations of the U.S. or Texas or its agencies and instrumentalities and political subdivisions including collateralized mortgage obligations directly issued by a federal agency or instrumentality of the United States as permitted by Government code 2256.009.
2. Certificates of deposit as permitted by Acts of the 74th Legislative Session, Chapter 32.
3. Fully collateralized repurchase agreements permitted by Government Code 2256.011.

4. Banker's acceptance as permitted by Government Code 2256.012.
5. Commercial paper as permitted by Government code 2256.013.
6. Two types of mutual funds as permitted by Government Code 2256.014: money market mutual funds and no-load mutual funds.
7. Public funds investment pools as permitted by Government Code 2256.016-2256.019.

Safety and Investment

Management Safety of principal is the foremost objective of the District's investment program. The investment officer shall observe financial market indicators, study financial and economic trends, and utilize available educational tools in order to maintain appropriate management expertise. Investments shall be made with judgment and care – under then prevailing circumstances – that persons of prudent discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived.

Liquidity & Maturity

As a general rule, assets of the District shall be invested in instruments whose maturities do not exceed one year from the time of purchase, subject to the following exceptions:

Other Revenues: Investments

1. A shorter maturity is required by law. (CDA (LEGAL))
2. A longer maturity may be specifically authorized by the Board pursuant to a defined strategy for a given fund and provided legal limits are not exceeded.
3. Any internally created pool fund group of the District has a maximum dollar weighted maturity of 180 days.

The District's portfolio will remain sufficiently liquid to enable the District to meet all operating requirements that might be reasonably anticipated. The District shall have procedures to determine cash flow requirements according to generally accepted financial and accounting procedures.

Yield

The investment portfolio shall be designed with the objective of obtaining a rate of return throughout budgetary and economic cycles, commensurate with the investment risk constraints and cash flow needs. The investment officer shall strive to earn competitive total return on the portfolio consistent with the objectives and priorities stated in this policy. Total returns shall mean the interest and/or dividend payments and appreciation of depreciation of the principal of the investment.

**Funds/
Strategies**

Investments of the following fund categories shall be consistent with this policy and in accordance with the strategy defined below:

General Operating Fund: Investment strategies for operating funds shall have as their primary objectives safety, investment liquidity, and maturity sufficient to meet anticipated cash flow requirement.

Fund Balance: Investment strategies for the Fund Balance shall have as their objective sufficient investment liquidity to timely meet capital project obligations.

**Internal
Controls**

A system of internal controls shall be established and documented in writing and must include specific procedures designating who has authority to withdraw funds. Also, they shall be designed to protect against losses of public funds arising from fraud, employee error, and misrepresentation by third parties, unanticipated changes in financial markets, or imprudent actions by employees and officers of the District. Controls deemed most important shall include:

1. Separation of transaction authority from accounting and record keeping.
2. Avoidance of collusion.
3. Custodial safekeeping.
4. Clear delegation of authority.
5. Written confirmation of telephone transactions.
6. Documentation of dealer questionnaires, quotations and bids, evaluations, transactions and rationale.
7. Avoidance of bearer-form securities.

These controls shall be reviewed by the District's independent auditing firm.

**Portfolio
Report**

In addition to the quarterly report by law and signed by the District's investment officer, a comprehensive report on the investment program and investment activity shall be presented annually to the Board.

The HCAD board of directors has a resolution on file concerning the education requirements for the investment officer of the appraisal district. The resolution is below.

**RESOLUTION APPROVING INDEPENDENT SOURCES OF
INSTRUCTIONS RELATING TO THE INVESTMENT
RESPONSIBILITIES**

WHEREAS, Section 2256.008(a), Texas Government Code, as amended, requires the chief financial officer and investment officer of a local government to attend an investment training session not less than once in a two-year period and receive not less than ten hours of instruction relating to investment responsibilities from an independent source approved by the governing body of the local government or a designated investment committee advising the investment officer, as provided in the investment policy of the local government:

WHEREAS, the Texas Association of Assessing Officers (TAAO) and the University of North Texas Center for Public Management provide investment training sessions relating to investment responsibilities: and

WHEREAS, the governing body of this local government wishes to approve TAAO and the University of North Texas Center for Public Management as independent sources of instruction to provide investment training sessions required by Section 2256.008(a):

NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THIS LOCAL GOVERNMENT AS FOLLOWS:

Section 1: Approval of Independent Sources Instruction. TAAO and the University of North Texas Center for Public Management are hereby approved as independent sources of instruction relating to investment responsibilities for the chief financial officer and the investment officer of this local government, as required by Section 2256.008(a), Texas Government Code, as amended.

Section 2: Public Meeting. It is Hereby found, determined, and declared that a sufficient written notice of the date, time, place and subject of the meeting of the governing body of this local government at which this Resolution was adopted was posted at a place convenient and readily accessible at all times to the general public at the regular meeting place of the governing body for the time required by law preceding this meeting, as required by Chapter 551, Texas Government Code, and that this meeting has been open to the public as required by law at all times during which this Resolution and the subject matter thereof has been discussed, considered and formally acted upon. The governing body further ratifies approves and confirms such written notice and the contents and posting thereof.

FINALLY PASSED AND ADOPTED
this _____

(Presiding Officer of Governing Body)

ATTEST:

(Secretary of Governing Body)

Competitive Bidding, Purchasing and Contract Authority

District directors will consider a variety of contracts for supplies, equipment, services and other work. Section 6.11 of the Code requires competitive bidding for purchases and contracts requiring an expenditure of \$50,000 or more. Specifically, the board must follow the process set out for municipalities in Chapter 252.021 of the Local Government Code. The Public Property Finance Act found in Chapter 271, Local Government Code, should also be consulted concerning the lease or purchase of certain personal property.

HCAD board of directors' policy for purchasing supplies and equipment is below:

HCAD policy on purchasing equipment and supplies is:

- Anything over \$3,000. must be approved by the board of directors
- All purchases of supplies and equipment under \$3,000 must be approved by the chief appraiser.
- The district will endeavor to purchase quality products at the best price available by checking prices with area vendors as well as larger vendors (ie Staples, Office Depot).
- All purchases will be reviewed upon delivery and checked for accuracy.
- Any purchases over \$50,000 must comply with Local Government Code Section Chapter 252 Subchapter B, Section 252.021 for taking competitive sealed bids.

Bonds

Neither state law nor Comptroller rules require a bond of the chief appraiser for performing appraisal services. However, a taxing unit may require a bond when the appraisal district collects for the unit.

If the chief appraiser acts as the collector for any unit other than the county under an interlocal contract, the unit may require a bond conditioned on the faithful performance of the duties a collector. The taxing unit must pay the premium for the bond.

Within the appraisal district, the board may require some employees to post bonds. Bonds should be required for those officers or employees who are authorized to handle money. Only the district chair and secretary may disburse the district's funds by written check, draft or order. If authorized by the directors, the chief appraiser may write checks. Only those employees authorized by the chief appraiser to handle funds should be covered by a fidelity bond. However, more employees should be covered if the appraisal office collects taxes.

The HCAD board of directors requires that all employees at the appraisal office are covered by a fidelity bond. The board of directors has authorized the chief appraiser and the collections clerk to disburse funds. Each account, the General Account and the Collections Account require two signatures on the check. Following are the steps taken to prevent fraud.

HARTLEY COUNTY APPRAISAL DISTRICT **Steps for Preventing Fraud**

The following steps are followed to prevent fraud at Hartley County Appraisal District:

- The Chief Appraiser will check and verify all receipts/deposits.
- No cash payments are held in the office. They are deposited the day of receipt or put in the fire proof safe in a sealed envelope to be deposited as soon as possible. Taxpayers that pay their taxes in cash are given a receipt immediately.
- The mail is opened by the Chief Appraiser and payments are dispersed to the Collections Clerk.
- The Chief Appraiser opens the bank statements for the collections & general accounts and reviews each statement.
- The Chief Appraiser and all staff are bonded.
- All checks are required to have 2 signatures, Chief Appraiser & Collections Clerk, therefore each one is reviewed by 2 people.
- Any adjustments made to the current or delinquent tax rolls are reviewed by the Chief Appraiser as well as the Collections Clerk. The actual adjustments are made by the Chief Appraiser who gives a detailed report to the Collections Clerk at the end of each month. The adjustments are then balanced with the adjustment reports with each deposit from Gemini. The adjustments are then indicated to each entity on their monthly report.
- All bills are reviewed by the Collections Clerk and initialed that they have been reviewed. The check or payment is then reviewed and Okayed by Collections Clerk. All collections deposits and checks are reviewed by the Chief Appraiser for accuracy and balanced with the deposit reports from the Gemini software. Any cash included in the deposit is counted and verified and signed off on by the Chief Appraiser. As much as is possible someone besides the Collections Clerk takes the deposits to the banks.
- Hartley County Appraisal District is audited every year. Both the general account and collections account are audited by an outside auditing firm.

There are also two board members that are on the signature cards at the bank.

Financial Audit

An annual financial audit of the county appraisal district is required pursuant to Section 6.063 of the Code. An independent certified public accountant (CPA or a CPA firm must prepare the audit. The board must deliver a copy of the report to the presiding officer of the governing body of each taxing unit eligible to vote on director appointments. Copies of the report should be made available at the appraisal office for public inspection.

The HCAD board of directors sends a copy of the audit report to all entities in its jurisdiction. The independent auditor meets with the board of directors every year in an open meeting (usually in August) to go over the audit and answer any questions that the board might have.

Other Administrative Details

The appraisal district directors and chief appraiser handle other financial details that affect appraisal district operations, such as reporting to the Internal Revenue Service, purchase of insurance, retirement program participation, etc. Some of these aspects are briefly discussed below. Most of these items are discussed in detail in the employee handbook.

Internal Revenue Service (IRS)

The appraisal district must apply for an account with the IRS to obtain an IRS Employer Identification Number and be placed on the IRS mailing list. Funds withheld from employees' pay are calculated, deposited and reported using the proper forms required by IRS. HCAD has an EIN and is a monthly depositor of Withholding Tax, Social Security, and Medicare.

Sales Tax

Appraisal districts, as political subdivisions of the state, are exempt from paying sales tax except on lodging secured by officials traveling on official business. The appraisal district should not charge sales tax when furnishing multiple copies of public records if the governmental body is required to furnish them under the Public Information Act. Sales tax is due on the sale of regular publications, records or general information. For example, a set of tax maps for a county available for sale to the public at a set price is taxable. The district must remit collected sales tax to the Comptroller. HCAD sells tax maps and charges tax. HCAD has a Texas Sales and Use Tax Permit through the Comptroller's office and files a Texas Sales and Use Tax Return with our yearly remittance.

Workers' Compensation

An appraisal district may provide workers' compensation coverage for its employees through the purchase of a workers' compensation insurance policy. HCAD has workers' compensation coverage for all employees through TML Intergovernmental Risk Pool.

Liability Insurance

The Texas Tort Claims Act provides that governmental units are liable for property damage, personal injury and death caused by employees or officers operating automobiles or motor-driven equipment while working in their employment. A district could be liable for death or personal injury caused by the condition or use of tangible personal or real property. Many appraisal districts carry policies of liability insurance to protect against this risk. Hartley CAD has liability insurance through TML Intergovernmental Risk Pool, PO Box 149194, Austin, TX 78714-9194.

Property Insurance

The appraisal district may wish to consider insurance for burglary, robbery of money and securities, forgery and other crimes.

Insurance covering office, equipment, supplies, furniture and fixtures may also be desired. Valuable papers coverage for maps, cards and records can be provided as well as all-risk coverage

for computers, software, tapes and other items. Hartley CAD carries property insurance with TML Intergovernmental Risk Pool; real and personal property, valuable papers and records & EDP Media, accounts receivable, loss of revenue, extra expense and rents, leasehold interest, and newly acquired property.

Group Hospitalization and Life Insurance

Most appraisal districts provide hospitalization, life, accident and/or other health benefits for their employees. Hartley CAD has health benefits provided for employees through TML Intergovernmental Employee Benefits Pool.

Retirement Plans

Most appraisal districts have a retirement system adopted by an earlier board of directors. Chapter 810, Government Code, allows appraisal district to establish public retirement systems. Public retirement system means a continuing, organized program or plan, including a plan qualified under Section 401(a) of the Internal Revenue Code of 1986, of service retirement, disability retirement or death benefits for officers or employees of a political entity.

Hartley CAD has a retirement plan with Texas County and District Retirement Systems. The district pays a flexible rate as of 81st Legislature 2009. The employee pays 7% towards the retirement plan.

VI. Appraisal Office Staff

Recruiting, training and retaining competent, qualified personnel are important elements of effective appraisal district operations.

The chief appraiser is responsible for hiring, firing and training personnel. The board should not become involved in day-to-day personnel decisions, but may establish personnel policies to be implemented by the chief appraiser.

The chief appraiser has the authority to employ and compensate personnel as provided by the appraisal district budget. The board of directors adopts the budget and through the budget may control the size and qualifications of staff, as well as set the goals and objective of the appraisal office through its personnel.

The chief appraiser should recommend personnel policies and procedures to the board of directors for adoption, and then administer the district staff in a manner consistent with board policy and the approved budget.

This section addresses general personnel issues. A district should consult its legal counsel for advice about specific situations and to assist in preparing a personnel policy manual or handbook. In particular, advice must be sought concerning policies related to equal employment, discrimination, due process, civil right, grievance procedures, harassment, liability, disabilities and other legal matters.

Personnel Policy

The chief appraiser should develop a written personnel policy manual or handbook. A manual informs employees about the district's goals and objectives, policies, procedures and guidelines to follow in the course of their duties.

Courts have interpreted personnel handbooks as creating contractual protections for employees. If a handbook states that no employee will be terminated except for good cause the employer has voluntarily given up the ability to terminate except for cause.

Similarly, oral or written statements made to an employee may limit the employer's right to terminate at will. Some courts have viewed hiring a person for a definite period—by the week or by the month—as establishing a definite term or employment. Depending on the wording, a termination might not be effective until the end of the next pay period.

Each employee should have a copy of the manual. The chief appraiser should review and update the manual annually. The personnel policy manual should state the district's general goals and objectives and may include but not be limited to the following items:

- Applications for employment
- Promotion, demotion, transfer and termination policies;
- Compensation plan;
- Leave plans, such as vacations and sick leave;
- Conditions of employment;
- Work hours and overtime;
- Employee benefit program;
- Conduct and discipline;
- Prohibitions against discrimination (gender, race, age national origin, religion or disability) and clear guidelines for resolving complaints;
- Equal employment opportunity guidelines;
- Prohibition against sexual harassment and methods to report improper conduct; and
- Other policies directly affecting employees, such as court appearances on property tax matters.

Job Descriptions, Evaluations and Salary

A written job description should define each position in the appraisal office. The chief appraiser and/or supervisors should review job descriptions periodically and update as necessary. The district should have a formal system of evaluation included in the written personnel policy manual. The board should evaluate the chief appraiser's performance regularly. Likewise, the chief appraiser should evaluate employees regularly.

The district should develop a salary classification system based on the duties, qualifications and level of performance necessary for each position. The salary schedule should be realistically based on the appraisal district budget.

Professional Development

Certain employees of the appraisal district register with and attain certification from the Texas Department of Licensing and Regulation (TDLR) which was the Board of Tax Professional Examiners (BTPE). As of September 1, 2009 BTPE was abolished and transferred to the TDLR.

Section 5.04 of the Code requires an appraisal district to reimburse an employee for all actual and necessary expenses, tuition, fees and costs of materials incurred in attending a course or training program conducted, sponsored or approved by the TDLR. The chief appraiser must approve the course or seminar before the employee is entitled to reimbursement.

The appraisal district should budget funds to cover necessary training and education expenses, based on a careful evaluation by the chief appraiser of employee training and certification needs.

HCAD policy for registration is that all full time employees will register and seek certification in their field. It is very important for all employees to have as much knowledge in their field as possible. Employees will seek certification in their particular field as soon as possible and keep up CEU's for continuing education as needed. Any other seminars, meetings or classes that would be helpful to their continuing knowledge is encouraged with approval of the chief appraiser and as the budget allows. Any new fees or fines from TDLR will be paid by the appraisal district.

VII. Appointing the Appraisal Review Board

One of the most important parts of the property tax system is the review of appraisal records by an impartial citizen board. The board hears protests from taxpayers and challenges from taxing units on the proposed appraisal records submitted by the chief appraiser.

The Code assigns this function to the appraisal review board (ARB) appointed by the appraisal district board of directors. District directors should be aware of the need to select citizens with high competence and with an excellent reputation for fairness and good judgment. Experience in one of the following fields may be helpful: appraisal, real estate, accounting, business, agribusiness, engineering or construction. These fields of expertise, however, are not required.

Membership Requirements

To be eligible, an individual must be a resident of the appraisal district and must have resided in the district for at least two years.

The Code provides that, in all appraisal district, a person is ineligible to serve on the ARB if the person is a county appraisal district (CAD) director, a CAD officer or employee, a Comptroller employee or a member of the governing body, officer or employee of a taxing unit.

In counties with a population of more than 100,000, a person is ineligible to serve on the ARB if the person has served for all or part of three previous terms or is a former director, officer or employee of the CAD. A person also is ineligible to serve on the ARB in counties having a population of more than 100,000 until the fourth anniversary of the date the person ceased to serve as a member or officer of a taxing unit for which the appraisal district appraises property. In these counties, a person may not serve as an ARB member if the person has ever appeared before the ARB for compensation.

In counties with a population of 100,000 or less, a person is ineligible to be appointed to the ARB for a fourth term if the person has served for all or part of three consecutive terms. The person, however, may serve in some future year.

Barred from Membership

Section 6.412 of the Code bars an ARB member from serving if the member is related to a person who operates for compensation as a tax agent or a property tax appraiser in the appraisal district. Relatives barred are those within the second degree by consanguinity (blood) or affinity (marriage). Knowing violation of this section is a Class B misdemeanor.

Section 6.413 bars a person who contracts with the appraisal district or a taxing unit that participates in the appraisal district from serving on the ARB. A person who has a substantial interest in a business that has either type of contract is also barred. "Substantial interest" is defined as either: (1) combined ownership of the person and his spouse of at least 10 percent of the voting stock or shares of the business, or (2) service by the individual or a spouse as a partner, limited partner or officer in the business entity.

This section bars an appraisal district from entering into a contract with a current ARB member or with a business entity in which the member has a substantial interest. This section also bars a taxing unit from making a contract with a member of the ARB or a business entity in which the member has a substantial interest.

The same conflict of interest statutes that apply to appraisal district directors also apply to appraisal review board members. Additional information regarding conflicts of interest of ARB members, including Section 41.69 of the Code may be found in the Appraisal Review Board Manual published by the Comptroller

No Delinquent Taxes

The Code disqualifies a person from serving on an ARB if he or she owns property on which delinquent property taxes have been owed for more than 60 days after the date the person knew or should have known of the delinquency. This restriction does not apply if the person is paying the delinquent taxes under an installment payment agreement or has deferred or abated a suit to collect delinquent taxes.

Number and Term of Office

The Hartley CAD board of directors appoints five members to the ARB. The appraisal district board may decide to change the number of ARB members annually.

Directors appoint ARB members by resolution passed by a majority of the appraisal district board. A vacancy on the ARB is filled in the same manner for the unexpired portion of the term.

ARB members serve two-year terms beginning January 1. However, terms must be staggered, so that the terms of approximately half the members expire each year. In making the initial appointments, the board of directors must designate those members who serve terms of one year.

An appointment to the ARB by the board of directors may be vetoed by a majority of the voting taxing units. A majority of the voting units must file veto resolutions with the board secretary of the appraisal district within 15 days after the action is taken.

Temporary ARB Members

Appraisal district directors may appoint temporary ARB members. Section 41.66(g) of the Code provides for temporary ARB members to replace regular ARB members who may not participate in a hearing because the ARB members have communicated with another person(s) about a hearing outside that scheduled hearing.

Temporary ARB members must meet all the eligibility requirements for appointment that are required for regular ARB members. These temporary ARB members must take the oath of office and sign the required statement before serving on the ARB. The appraisal district directors appoint these ARB members for a term of the same length as regular ARB members.

The appraisal district directors must adopt and implement a plan for the temporary replacement of an ARB member.

ARB Training

Section 5.041 of the Code requires the State Comptroller to approve curricula, provide materials and supervise the training of ARB members. All ARB members must complete the Comptroller courses or may not participate in ARB hearings. However, an ARB member appointed after a course offering may continue to serve until the completion of a subsequent course offering. As of 2010 ARB members must have training every year. A new member has to take the Appraisal Review Board Training – Comprehensive and the returning ARB member must take Appraisal Review Board Training – Advanced. Any ARB members continuing to serve on an ARB must have training every year they serve.

The Comptroller may assess a fee, not to exceed \$50 per ARB member, to recover a portion of the costs incurred for the training course. The appraisal district board should provide for budgeting ARB training as part of the district's annual budget.

ARB members must complete the mandatory training for public officials on the Texas Open Meetings Act and Public Information Act. The laws require at least two hours of open government training, consisting of a one-hour educational course on the Open Meetings Act and one-hour educational course on the Texas Public Information Act.

ARB Removal

Section 6.41 of the Code requires the appraisal district board of directors to adopt a specific procedure for the removal of ARB members by a majority vote. That procedure is listed below:

HARTLEY COUNTY APPRAISAL DISTRICT
BOARD OF DIRECTORS
PROCEDURE FOR REMOVING AN
APPRAISAL REVIEW BOARD MEMBER

Section 6.41 of the Texas Property Tax Code requires an appraisal district board of directors to remove an ARB member for violating:

- Section 6.412 (restrictions on eligibility to serve as an ARB member)
- Section 6.413 (interest in certain contracts)
- Section 41.66 (communication outside a hearing)
- Section 41.69 (participating in determination of a taxpayer protest in which the ARB member is interested or which is related to a party by affinity within the second degree or by consanguinity within the third degree), or
- Section 6.41 (f) (2) (good cause relating to the failure to attend ARB meetings according to written policies adopted by a majority of the board of directors).

After consideration of said violation, the Board of Directors will discuss and make a determination of said violation during an open meeting. The said ARB member will be notified of the open meeting and allowed to comment during the discussion. The Board of Directors will then vote on removal of the ARB member and notify the ARB member in writing of their determination.

ARB Meetings

Once the board of directors has appointed the ARB members and the members are sworn into office, their authority is independent of the control of the board of directors. The ARB selects its own chair and secretary. The ARB meets at any time at the call of the chair or as provided by ARB rule. The ARB must meet to examine the appraisal records within 10 days after the date the chief appraiser submits the records to it.

The ARB will work closely with the appraisal office in receiving information, handling requests, sending notices and handling daily administration of ARB duties. The chief appraiser may assign staff to assist the ARB.

The review board adopts its own rules of order and procedure. The board of directors does not have the authority to establish rules for the ARB.

Compensation

Members of the review board are entitled to a per diem for each day the board meets as provided in the appraisal district budget. The budget may allow for reimbursing ARB members for actual and necessary expenses incurred in the performance of their duties. HCAD board of directors has budgeted for a per diem per day of hearings of \$125.00 per member. For training seminars mileage is paid at the current Comptroller posted rates and a per diem amount of \$20.00 per member for a lunch meal during the training seminar.

ARB Personnel

The ARB may employ legal counsel as provided by the district budget or use the services of the county attorney. As previously noted, the ARB may use the staff of the appraisal office for clerical assistance.

HCAD board of directors provided clerical assistance and legal assistance to ARB and has budgeted for these expenses. Legal and clerical assistance must be independent of work done for the appraisal district or its office.

VIII. Assessment and Collection Functions

A taxing unit may contract the assessment and collection functions to the appraisal district, the county or to another taxing unit. The Code provides procedures for taxing units to follow to consolidate assessment and/or collection functions with the appraisal district. The district may be responsible for these functions for one or more of the district's taxing units.

Chapter 26 of the Code provides for tax assessment. Assessment includes calculating a taxing unit's effective and rollback tax rates, publishing the unit's effective and rollback tax rates and publishing required notices of hearings held by the taxing unit to discuss and adopt a tax rate. The final assessment function is applying the adopted tax rate to the values on the appraisal roll certified by the appraisal district. The result of the assessment process is to set a tax rate and determine each property owner's tax liability.

Chapters 31, 32, 33 and 34 of the Code provide for collection of taxes. These duties include preparing and mailing tax statements, collecting current and delinquent taxes and pursuing delinquent taxpayers.

HCAD contracts with seven of the nine taxing entities in the district for these functions. Those districts are: Hartley County, North Plains Water District, Moore County Hospital District, Dallam/Hartley Hospital District, City of Channing, Hartley ISD, and Channing ISD.

By Contract

Interlocal contracts allow appraisal districts to collect and assess for a taxing unit. The contract may provide for the appraisal district to contract with an attorney to collect delinquent taxes. Section 6.24 of the Code authorizes contracts for assessment and collections between taxing units and appraisal districts.

There are two procedures for getting the necessary approval for the appraisal district to assess or collect taxes under contract: one procedure for counties and one procedure for other taxing units.

Counties

The commissioner's court with the approval of the county TAX may contract with the appraisal district or another taxing unit for tax assessment and collection for the county.

The Attorney General has held that the county may not contract to transfer all the county TAC's functions from that office. However, the county may contract for the county TAX to receive assessment-collection assistance from the appraisal district (or another taxing unit).

When the county has such a contract, the contract must provide for the appraisal district or taxing unit to assist in assessing and collecting all taxes the county is required to assess and collect, except the county may retain the collection of the special inventory taxes outlined in Chapter 23 of the Code.

Other Taxing Units

The governing body of any other taxing unit may approve a contract with either another taxing unit or the appraisal district to assess and collect taxes.

By Consolidation Elections

Section 6.26 of the Code authorizes voters to consolidate collections. Voters may require either the appraisal district or an individual taxing unit to be responsible for consolidated tax assessment and collection functions. Other TAX functions, however, cannot be consolidated by election. The Attorney General has held that elections to consolidate the county TAC's functions with the appraisal district or another taxing unit are unconstitutional.

The Code permits two types of elections:

- Elections in which all voters in the appraisal district may vote to consolidate assessment and collections for all taxing units in the appraisal district in either the appraisal district office, the county or one taxing unit or;
- Elections in which voters in a taxing unit that assesses and collects taxes may vote to consolidate that function in the appraisal district, the county or another taxing unit.

An appraisal district may not be required to provide assessing and collecting services for taxing units outside its boundaries. Similarly, a taxing unit may not be required to assess and collect taxes for a unit outside the appraisal district that appraises property for the taxing unit.

Although the board does not determine the validity of a consolidation petition or call an election, members should be aware of the law on consolidation elections and petitions. In a district-wide consolidation drive, the voters must submit the petition to the county clerk of the county where the appraisal district is principally located. The commissioner's court determines the validity of the consolidation petition and calls an election.

In a drive to consolidate the assessment and collection functions of an individual taxing unit, the voters submit the petition to the taxing unit's governing body. The governing body determines the validity of the consolidation petition and calls an election.

A petition is valid if it:

- Specifies the taxing unit or appraisal district for which the assessment and collection functions are to be consolidated;
- Specifies the taxing unit, county or appraisal district that will perform the assessment and collection function;
- States the functions to be consolidated—assessment, collections or both;
- States that the petition intends to require an election on the question of consolidation of assessment, collection or both; and
- Is signed by the lesser of 10,000 qualified voters or at least 10 percent of the number of qualified voters residing in the taxing unit or the appraisal district (if the election is to consolidate the assessment and collections of all taxing units), according to the most recent official voter registration list.

If the petition is valid, the commissioners' court or governing body must order an election. The election is set for the next uniform election date in the Texas Election Code that is more than 62 days from the last day the petition could have been approved or disapproved.

The ballot must permit a "yes" or "no" vote and read as follows:

Requiring the (name of entity or office) to (assess, collect, or assess and collect as applicable) property taxes for (all taxing units in the appraisal district for _____ County of name of taxing unit or units as applicable).

If a majority votes in favor of the proposition, then assessment and collection functions will be consolidated as stated in the petition.

Consolidation begins the next time taxes are assessed and/or collected that is more than 90 days after the election date, although all entities may agree to begin consolidation in less than 90 days. In a county-wide consolidation election, a majority must vote for consolidation, but a majority of total votes does not necessarily bind all taxing units. Where the total majority votes for consolidation but less than a majority of any one taxing unit votes for consolidation, that one taxing unit is not bound by the consolidation vote.

The consolidation may not be terminated within a two-year period following the date of election.

Annual Collection Budget

When assessment and collections are consolidated, the taxing unit that consolidated its functions must pay the actual cost of performing the functions. If the appraisal district is assessing and collecting, the district should outline the costs in a separate budget.

If the appraisal district performs assessment and collections functions under contract, the budget should be based on the contract. If the district collects under an election, the budget should be based on actual costs among the taxing units served. The district allocates costs only to those taxing units for which it performs assessment and collection functions.

Special items in the annual collection budget include bonds required, services of a delinquent tax attorney and court fees. Hartley CAD charges for collection costs by collecting 1% of current collections and 3% of delinquent taxes. These collection allocations are paid to the district when the taxes are remitted to the taxing entities.

IX. Certification by Texas Department of Licensing and Regulation (TDLR)

State law requires that as of September 1, 2009 TDLR will take over the function for the Board of Tax Professional Examiners. All individuals in the property tax field must be competent and accountable through a program of registration and certification.

TDLR is governed by Chapter 1151, Occupations Code. It is responsible for ensuring that property taxation is practiced as a learned profession and that practitioners are accountable to the public.

Appraisal district directors should be aware of certification requirements. Chief appraisers and certain appraisal office staff must register and fulfill certification standards within a required time period to lawfully perform their duties. The district must budget funds to cover registration fees, tuition for courses and other special programs associated with this area. Hartley CAD also requires that full time staff are members of TAAO and TAAD, the two professional organizations for persons in the property tax field. The fees for this registration are paid by the district.

Who Must Register

The law requires that the following persons must register:

- All chief appraiser, appraisal supervisors, and assistants, property tax appraiser, appraisal engineers and other persons with authority to render judgment on, recommend or certify appraised values to the appraisal review board of an appraisal district.
- The tax assessor-collector, tax collector or other person designated by the governing body of a taxing unit as the chief administrator of the unit's assessment functions, collections functions or both; other persons who perform assessment or collection functions for a taxing unit who is required by the chief administrator of the unit's tax office to register; and
- All persons engaged in appraising real or person property for ad valorem tax purposes for an appraisal district or a taxing unit.

A county assess-collector is not required to register if the county's taxes are collected through a contract entered under Section 6.24(b) of the Code or by another taxing unit or appraisal district.

Registrants are divided into three fields, based on current duties and responsibilities: appraisal, assessment/collections and collections only.

Requirements

A registrant has a deadline to be certified. An appraiser has five years in which to complete requirements for the Registered Professional Appraiser (RPA) designation. An assessor/collector has five years to complete requirements for Registered Texas Assessor-Collector (RTA). An individual who collects has three years to become a Registered Texas Collector (RTC).

The first year of registration has identical requirements for all three fields; thereafter, the requirements differ. Additional registration information is available from TDLR, along with information concerning recertification and specialization.

In addition, chief appraisers appointed after July 1, 2006, must complete a training program provided by TDLR or a provider approved by TDLR.

Enforcement

Registration is not voluntary; it is a mandatory requirement for persons engaged in appraisal, assessing or collecting for property tax purposes. The TDLR may enforce the law and its rules regarding registration by suspending or revoking registration. Penalties are provided in law.

Fees

An initial application for registration must be submitted with a nonrefundable processing fee of \$50. In addition, an annual registration fee is set by TDLR, to be not less than \$45 and not more than \$75. Additional costs for appraisal and collection personnel will be for tuition, fees, materials and other items associated with courses and programs.

2010 is the first year registration has been under TDLR. For the year 2010 the fees stayed the same as the old BTPE. However, for 2011 these are subject to change. HB 2447 eliminates licensing and administrative fee caps and authorizes TDLR to set fees in amounts necessary to cover the costs of the Department's tax professional regulatory program. The bill eliminates the 30-day grace period for registration renewal and requires TDLR to create late renewal fees based on standard renewal fees.

X. Role of the Comptroller to Review Appraisal Districts

Appraisal Standards Reviews

In 2003, the Comptroller's office was authorized to conduct appraisal standards reviews of county appraisal districts if the Comptroller finds in its annual Property Value Study (PVS) that the appraisal district has one or more "eligible" school districts. Eligible school districts are those that meet the following conditions:

- The district's values are invalid in the most recent property value study;
- The district's values were valid in the two studies preceding the most recent study and;
- The district's local value is above 90 percent of the lower threshold of the margin or error.

The PVS independently estimates the taxable property value in each school district to ensure that state values reflect market value, which in turn ensures that school districts have approximately the same number of dollars to spend per student, regardless of the school district's property wealth or lack of property wealth. School districts with less taxable property value per student receive more state dollars for each pupil than districts with more value per student. The state's fair distribution of school funding depends largely on the Comptroller's taxable value findings.

An appraisal standards review (ASR), authorized by Section 5.102 of the Code, examines and evaluates appraisal practices including appraisal planning, procedures and methodology, and application and adherence to appraisal standards. The Tax Code and Comptroller rules are the major criteria used to measure the appraisal district's performance. The evaluation of the appraisal district's appraisal methods are based on a comparison of local methods and procedures to those generally accepted by the mass appraisal industry in Texas. The Tax Code dictates certain appraisal procedures or standards such as the USPAP, specifically Standard 6: Mass Appraisal and Standard 7: Personal Property. Also the IAAO Standards on Assessment are used as guidelines on the operating of an assessment office

The two principal focuses of the review are to determine why a school district served by the CAD was deemed eligible to make recommendations to improve appraisal practices so the school district's values can be determined valid in future studies. The review evaluates five broad functional areas of CAD operations, including information processing systems, district staffing, property mapping and discovery, appraisals and appraisal standards.

The review methodology includes a self-assessment completed by the chief appraiser and board of directors, staff interviews, reviews of written policies, procedures, plans, financial and management audits, and assessments of manual and automated records systems. Involvement by the board of directors in the process is important to ensure that the findings of the ASR are accurate and the recommendations suitable.

Failure of the board of directors and chief appraiser to follow the recommendations could result in the appointment of a board of conservators to exercise supervision and control of the CAD until all school districts for which the CAD appraises property are determined to have valid local values in the PVS.

Methods and Assistance Program

2010 will be the first year of the implementation of the MAP Review. House Bill 8 (HB8) says: "At least once every two years, the Comptroller shall review the governance of each appraisal district, taxpayer assistance provided, and the operating and appraisal standard, procedures and methodology used by each appraisal district to determine compliance with generally accepted standards, procedures and methodology". Appraisal district will now have a MAP review and then in alternating year receive the Property Value Study (PVS). Hartley CAD will be one of the first districts to have the MAP review in the first year.

Ratio Studies

The Comptroller is also required to conduct a semi-annual (as of 2010 and HB8) study of appraisal uniformity in each CAD. Section 5.10 of the Code, requires that the Comptroller conduct ratio studies to determine the median level of appraisal within each major category of property. The annual study provides information that helps chief appraisers determine whether appraisals within their district follow legal requirements.

Performance Audits

Section 5.12 of the Code requires performance audits by the Comptroller of appraisal district that fail to meet specific standards for two consecutive studies. Existence of any one of the following conditions for two consecutive years triggers the audit:

1. the overall median level of appraisal for properties in the Comptroller study is less than 0.75;
2. the coefficient of dispersion around the median of the overall property sample is greater than 0.30;
3. the difference between median levels of appraisal for any two property classes is greater than 0.45.

An appraisal district does not have to miss the same standard for each year. For example, having an overall median less than 0.75 in year one and a coefficient of dispersion greater than 0.30 in the second year would trigger a performance audit even if the CAD had an overall median great than 0.75 in year two.

Section 5.12(b) of the Code specifies that a majority of the taxing units or voting taxing units served by an appraisal district may request a performance audit. Section 5.12(c) allows the owners of at least 10 percent of the property in a single class to petition for a performance audit (but only if the class makes up at least 5 percent of the total property value in the district). Further, on written request, the property owners representing not less than 10 percent of the appraised value of all the property in the district belonging to a single class of property (the 5 percent condition also applies) also may request an audit. Section 5.12(d) prohibits property owners from requesting an audit if:

1. the overall median for all property in the Comptroller study is more than 0.90 and less than 1.10;
2. the coefficient of dispersion for the overall property sample in the study is less than 0.15; and
3. the difference between the highest and lowest median appraisal levels for the various property classes are less than 0.20.

A CAD must meet all three standards before the Code will prohibit taxing units or taxpayers from requesting a performance audit. District subject to an automatic audit must bear the cost of the audit. Districts subject to an audit by the governing body's request must also pay for the audit. The cost of a taxpayer-requested audit is borne by the requesting taxpayers. However, the district must pay for a taxpayer-requested audit if the audit's results show that the median level of appraisal for a class of property exceeds the median level of appraisal for a class of property exceeds 1.10 or the median level of appraisal for one class of property varies by at least 10 percent from the level of property in the district. The law provides the procedure the district must follow to reimburse taxpayers in this case.

Submit to:
SECRETARY OF STATE
Statutory Documents Section
P O Box 13550
Austin, TX 78711-3550
512-475-0775
512-475-2815 - Fax
Filing Fee: None



OATH OF OFFICE

IN THE NAME AND BY THE AUTHORITY OF THE STATE OF TEXAS,
I, _____, do solemnly swear (or affirm), that I will faithfully
execute the duties of the office of _____ of
the State of Texas, and will to the best of my ability preserve, protect, and defend the Constitution and laws
of the United States and of this State, so help me God.

Signature of Officer

.....
State of _____)
County of _____)

Sworn to and subscribed before me this _____ day of _____, 20 ____.

(seal)

Notary Public Signature

**Form 2204—General Information
(Oath of Office)**

The attached form is designed to meet minimal constitutional and statutory filing requirements pursuant to the relevant provisions. *This form and the information provided are not substitutes for the advice and services of an attorney.*

Commentary

All state or county officers, other than the governor, lieutenant governor, and members of the legislature, who qualify for office are commissioned by the governor. Tex. Gov't Code § 601.005. The secretary of state performs ministerial duties to administer the commissions issued by the governor, including confirming that officers are qualified prior to being commissioned. Submission of this oath of office to the secretary of state confirms an officer's qualification so that the commission may be issued.

Pursuant to art. XVI, § 1 of the Texas Constitution, the Oath of Office *may not* be taken until a Statement of Officer has been subscribed to and, as required, filed with the secretary of state. (See Form 2201.) Additionally, gubernatorial appointees who are appointed during a legislative session *may not* execute their Oath until after confirmation by the Senate. Tex. Const. art. IV, § 12. A Statement of Officer required to be filed with the secretary of state is filed upon receipt by the secretary of state.

The Oath of Office may be administered by anyone authorized under the provisions of Chapter 602 of the Texas Government Code. Commonly used officials include notaries public and judges.

Officers Required to File Oath of Office with the Secretary of State:

- Gubernatorial appointees, appellate and district court judges, and district attorneys should file their Oaths of Office with the secretary of state.
- Directors of districts operating pursuant to chapter 36 or 49 of the Texas Water Code shall file with the secretary of state a duplicate original of their Oath of Office within 10 days of its execution. Tex. Water Code Ann. §§ 36.055(d); 49.055(d).

Officers *Not* Required to File Oath of Office with the Secretary of State:

- Members of the Legislature elected to a *regular* term of office will have their Oath of Office administered in chambers on the opening day of the session and recorded in the appropriate Journal. Members elected to an *unexpired* term of office should file their Oath of Office with either the Chief Clerk of the House or the Secretary of the Senate, as appropriate.
- All other persons should file their Oaths locally. Please check with the county clerk, city secretary or board/commission secretary for the proper filing location.

Delivery Instructions

The oath may be mailed to P.O. Box 13550, Austin, Texas 78711-3550 or delivered to the James Earl Rudder Office Building, 1019 Brazos, Austin, Texas 78701. A commission will be issued and forwarded to an appointed or elected officer following receipt of an executed oath of office.

Revised 06/09

Submit to:
SECRETARY OF STATE
Statutory Documents Section
P O Box 13550
Austin, TX 78711-3550
512-463-5705
512-475-2815 - Fax
Filing Fee: None



**STATEMENT OF OFFICER FOR
OFFICERS NOT APPOINTED BY
THE GOVERNOR**

Statement

I, _____, do solemnly swear (or affirm) that I have not directly or indirectly paid, offered, promised to pay, contributed, or promised to contribute any money or thing of value, or promised any public office or employment for the giving or withholding of a vote at the election at which I was elected or as a reward to secure my appointment or confirmation, whichever the case may be, so help me God.

Position to Which Elected/Appointed: _____

City and/or County: _____

Execution

Under penalties of perjury, I declare that I have read the foregoing statement and that the facts stated therein are true.

Date: _____

Signature of Officer

Form 2201—General Information
(Statement of Officer for Officers Not Appointed by the Governor)

The attached form is designed to meet minimal constitutional filing requirements pursuant to the relevant provisions. *This form and the information provided are not substitutes for the advice and services of an attorney.*

Commentary

Article XVI, § 1 of the Texas Constitution requires all elected or appointed state and local officers to take the official oath of office found in § 1(a) and to subscribe to the anti-bribery statement found in § 1(b) before entering upon the duties of their offices. While local officers must retain the signed anti-bribery statement with the official records of the office, state-level officers must file the signed statement with the secretary of state before taking the oath of office required by § 1(a). This form is designed for filing the anti-bribery statement by state-level officers who were not appointed by the governor.

State-level officers required to file the anti-bribery statement with the secretary of state include members of the Legislature, the Secretary of State, and all other officers whose jurisdiction is coextensive with the boundaries of the state or who immediately belong to one of the three branches of state government. Op. Tex. Att’y Gen. No. JC-0575 (2002).

Questions about whether a particular officer is a state-level officer may be resolved by consulting relevant statutes, constitutional provisions, judicial decisions, and attorney general opinions. Questions regarding this form should be directed to the Statutory Documents Section at (512) 463-5705.

Delivery Instructions

The statement may be submitted by mail, hand delivery, or facsimile. Send submissions by mail, except for overnight mail, to P.O. Box 13550, Austin, Texas 78711-3550. Overnight mail or hand deliveries should be directed to the James Earl Rudder Office Building, 1019 Brazos, Austin, Texas 78701. Fax transmissions should be directed to (512) 475-2815. Do not fax the statement to any other fax number listed for the secretary of state. Faxed documents received after business hours, on weekends, or on holidays will be deemed received on the next business day. The statement is considered filed once it has been received by this office.

Revised 06/09

Notice of Public Hearing on _____ Budget

The _____ will hold a public hearing on a proposed budget for the _____ fiscal year.

The public hearing will be held on _____ at _____

A summary of the appraisal district budget follows:

The total amount of the proposed budget. \$ _____

The total amount of increase over the current year's budget. \$ _____

The number of employees compensated under the proposed budget. _____
(full-time equivalent)

The number of employees compensated under the current budget. _____
(full-time equivalent)

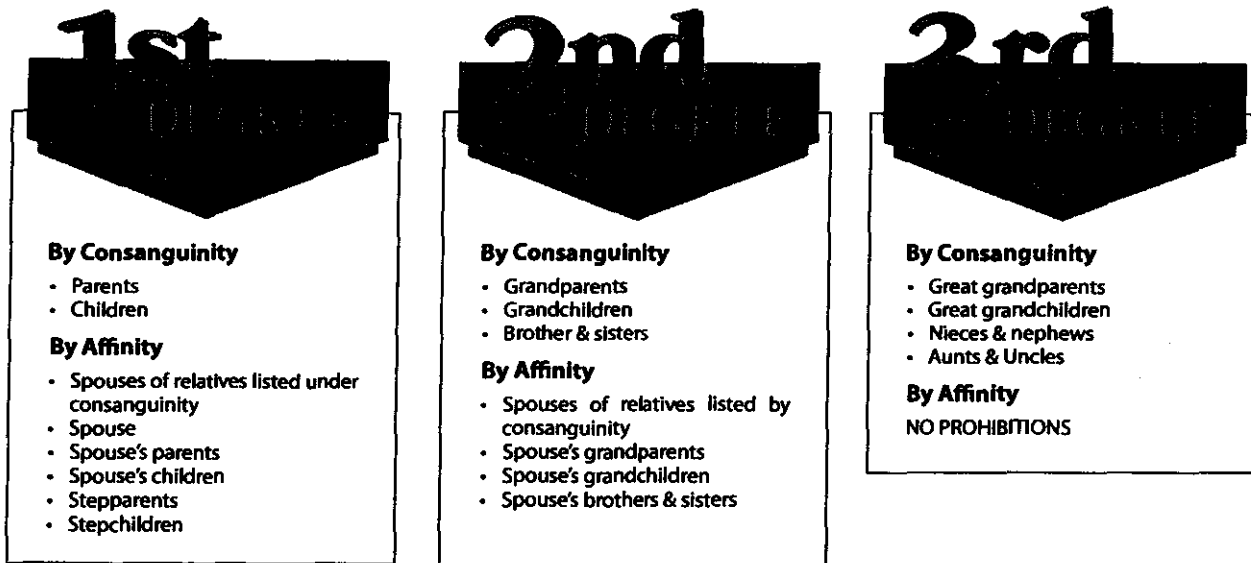
The appraisal district is supported solely by payments from the local taxing units served by the appraisal district.

If approved by the appraisal district board of directors at the public hearing, this proposed budget will take effect automatically unless disapproved by the governing bodies of the county, school districts, cities and towns served by the appraisal district.

A copy of the proposed budget is available for public inspection in the office of each of those governing bodies. A copy is also available for public inspection at the appraisal district office.

Chart of Kinship for Appraisal Personnel

Degrees of Consanguinity and Affinity Prohibitions



Restrictions on Eligibility of Chief Appraisers, Directors, Appraisal Review Board Members and Others

- Chief appraisers are disqualified from employment if related within the second degree by consanguinity or affinity to someone engaged in the business of appraising property for compensation for use in proceedings before the appraisal district or appraisal review board or of representing property owners for compensation in that district. *Section 6.035 (a), Tax Code*
- Directors of appraisal districts are ineligible to serve if related within the second degree by consanguinity or affinity to someone engaged in the business of appraising property for compensation for use in proceedings before the appraisal district or appraisal review board or of representing property owners for compensation in that district. *Section 6.035 (a), Tax Code*
- Chief appraisers or individuals related to chief appraisers within the second degree by consanguinity or affinity may not prepare appraisals to be used as evidence in protests or challenges concerning property that is taxable in the appraisal district in which the chief appraiser is employed. *Section 6.035 (d), Tax Code*
- Directors of appraisal districts are ineligible to serve if they or their spouses have substantial interests in contracts with the appraisal district or taxing units participating in the district. *Section 6.036 (d), Tax Code*
- Persons may not be employed by the appraisal district if they are related to a member of the board of directors within the second degree by affinity or within the third degree by consanguinity. *Section 6.05 (f), Tax Code*
- Persons or their spouses may not be employed by or contract with the appraisal district if they are related to the chief appraiser within the first degree by consanguinity or affinity. *Section 6.05 (g), Tax Code*
- Appraisal review board members are ineligible to serve if they are related within the second degree by consanguinity or affinity to someone engaged in the business of appraising property for compensation for use in proceedings before the appraisal district or appraisal review board or of representing property owners for compensation in that district. *Section 6.412 (a), Tax Code*
- Appraisal review board members are ineligible to serve if they or their spouses have substantial interests in contracts with the appraisal district or taxing units participating in the district. *Section 6.413 (a), Tax Code*
- Appraisal Review board members may not participate in a taxpayer protest in which they are related to a party by affinity within the second degree or by consanguinity within the third degree. *Section 41.69, Tax Code*

HARTLEY COUNTY APPRAISAL DISTRICT
Adopted Budget

		2008 Combined	2009 APPR	2009 COLL	TOTAL
6110	Chief Appraiser				-
6112	Collections Clerk				-
6114	Appraiser				-
6116	Part-time Employee				-
6119	Social Security				-
6120	Medicare				-
6140	Retirement				-
6142	Health Insurance				
6144	Workman's Compensation				
6146	Salary Comp.				-
	Total	-	-		-
6210	Office Supplies				
6212	Postage				
6214	Forms & Printing				
6215	Lease/Purchase Equipment				
6216	Computer				
6220	Miscellaneous				
6222	Legal Publications				
6224	Dues, etc.				
6228	Telephone				
6230	Repairs				
6232	Utilities				
6234	Janitorial				
6238	Mapping				
	Total	-		-	
6310	Board of Directors				
6312	ARB				
6314	Legal				
6316	Audit				
6318	Education				
6322	Insurance				
6324	Bond				
6328	Travel				
6330	Contract Appraisals				
	Total				
6410	Equipment and Furniture				
	Total				
	Budget Totals	0	-	-	-

CHIEF APPRAISER'S DUTIES AND RESPONSIBILITIES

Qualifications:

- Understand appraisal process
- Supervise and judge work progress
- Understand tax office procedure
- Understand tax record system
- Understand tax collection process
- Understand payroll records
- Registered Professional Assessor or working toward RPA and capable of attaining RPA
- Meet public and make decisions under pressure
- Prepared to accept critical comments and complaints gracefully

Administrative Duties:

- Executive officer of Appraisal Board
- Schedule and prepare agendas
- Post meeting notices
- Hire and fire all employees
- Schedule work, determine salary, policy, retirement, insurance, etc for all employees
- Prepare property value studies for Property Tax Division
- Prepare records for audits
- Prepare appraisal district budget and allocate to jurisdictions

Appraisal Duties:

- Responsible for 100% valuation of all property in each taxing jurisdiction within the appraisal district
- Prepare appraisal notices
- Prepare estimates of value for entities
- Process all appraisal protests
- Notify all contested values of final decision
- Prepare and deliver final appraisal rolls for each jurisdiction for tax rolls
- Approve all exemptions

Tax Records:

- Appraisal cards
- Ownership maps
- Appraisal Rolls
- Alpha lists
- Coding system
- All changes in: exemptions, addresses, ownership, splits, description, value

Exemptions:

Ag-use applications
Homesteads & Over-65
Veterans
Disability
Tax ceiling (school districts)

Miscellaneous:

Tax collections
Property Tax Division guidelines & standards
Legislative and Constitutional changes
Board of Review orientation
Recommend and approve all professional appraisal contracts.

HARTLEY CAD

CHIEF APPRAISER EVALUATION

AREA 1-PRIMARY ABILITIES

- | | | | | | |
|---|---|---|---|---|---|
| 1. Works required days. | 1 | 2 | 3 | 4 | 5 |
| 2. Works required hours. | 1 | 2 | 3 | 4 | 5 |
| 3. Is conscientious, has pride in work | 1 | 2 | 3 | 4 | 5 |
| 4. Adjust well to changes or new procedures | 1 | 2 | 3 | 4 | 5 |
| 5. Takes initiative by contributing new ideas and suggestions | 1 | 2 | 3 | 4 | 5 |
| 6. Demonstrates dependability and commitment | 1 | 2 | 3 | 4 | 5 |

AREA 2-JOB SKILLS

- | | | | | | |
|--|---|---|---|---|---|
| 1. Has necessary knowledge to meet the demands of the job | 1 | 2 | 3 | 4 | 5 |
| 2. Has Registered Professional Appraiser Certification | 1 | 2 | 3 | 4 | 5 |
| 3. Has attended the Certified Chief Appraiser Institute | 1 | 2 | 3 | 4 | 5 |
| 4. Necessary notices are sent in a timely manner | 1 | 2 | 3 | 4 | 5 |
| 5. Has the ability to recognize problems and deals with them | 1 | 2 | 3 | 4 | 5 |
| 6. Communicates effectively with other employees | 1 | 2 | 3 | 4 | 5 |
| 7. Communicates effectively with taxpayers. | 1 | 2 | 3 | 4 | 5 |
| 8. Communicates effectively with the Board of Directors | 1 | 2 | 3 | 4 | 5 |
| 9. Makes decisions willingly and promptly | 1 | 2 | 3 | 4 | 5 |
| 10. Accepts responsibility for decisions made | 1 | 2 | 3 | 4 | 5 |
| 11. Shows practical judgment | 1 | 2 | 3 | 4 | 5 |
| 12. Provides positive motivation for other employees | 1 | 2 | 3 | 4 | 5 |
| 13. Trains and develops employees | 1 | 2 | 3 | 4 | 5 |
| 14. Effectively delegates proper responsibilities | 1 | 2 | 3 | 4 | 5 |
| 15. Achieves objectives through people organization | 1 | 2 | 3 | 4 | 5 |

Comments _____

Board Member Signature and
date _____

Chief Appraiser Signature and
date _____

Instructions:

Evaluate the employee on the job now being performed. Circle the number which most nearly expresses your overall judgment on each quality. Do not judge the performance on isolated incidents. The value of this performance report to you the employee and the Appraisal District will be determined by the care with which it is prepared.

The following ranking system should be applied as objectively as possible within each area:

1. **OUTSTANDING:** Excellent performance that far exceeds the job's requirements.
2. **EXCEEDS STANDARDS:** Above average performance that exceeds the job's requirements.
3. **MEETS STANDARDS:** Acceptable performance that meets the job's requirements.
4. **BELOW STANDARDS:** Minimally acceptable performance that meets some of the job's requirements.
5. **UNSATISFACTORY:** Unacceptable performance that does not meet the job's requirements.

HARTLEY COUNTY APPRAISAL DISTRICT
PO Box 405, Hartley, TX 79044
806.365.4515

APPLICATION FOR APPRAISAL REVIEW BOARD

Name: _____

Address: _____

Phone Number: _____ Home
_____ Cell

Email Address: _____

I _____, would like to be considered for an Appointment as an appraisal review board member for Hartley County Appraisal Review Board. My qualifications for the position are ownership of property in Hartley County and knowledge of property values in Hartley County.

Other background information that would qualify me for consideration is:

Signature

Date

Hartley County Appraisal District

Duties of Deputy/Collections Clerk:

1. All collections functions of Hartley County Appraisal District.
2. Maintains Homestead/Over 65/Disabled & Veterans exempts as reviewed and approved by Chief Appraiser.
3. Maintains Mobile Home information pertaining to appraisal records and title information as provided by the State.
4. Ordering of supplies as needed by the district supervised by Chief Appraiser.
5. Maintains the postage meter.
6. Helps ARB with scheduling hearings and minute taking and any general record maintenance as required by the ARB.

Duties & Responsibilities of Appraiser:

1. Personal Property, send renditions, review renditions and value property
2. Review 6 roll properties appraised by Pritchard & Abbott
3. Maintain and review ag applications (1-d-1) and have approved by chief appraiser
4. Maintain records management and destroy documents as indicated with chief appraiser's approval.
5. Outside appraising, measuring and pictures of properties.
6. Check new properties and obtain any building permits or blue prints available.
7. Enter new drawings, building permits, pictures in computer.
8. Assist the chief appraiser.

Hartley County Appraisal District

Duties of Part-time Employee(s):

Receptionist duties:

Answer phone

Greet customers

General clerical work

Help Chief Appraiser & Collections Clerk as needed with
their supervision

Mapping Technician

HARTLEY COUNTY APPRAISAL DISTRICT

PERSONAL DATA FORM

NAME: _____

PHYSICAL ADDRESS: _____

MAILING ADDRESS: _____

PREFERRED MAILING ADDRESS FOR DISTRICT TO CONTACT MEMBER:

TELEPHONE:

HOME: _____ OFFICE: _____

CELL: _____

PREFERRED TELEPHONE NUMBER FOR DISTRICT TO CONTACT MEMBER:

BIRTHDATE: _____

YEARS HARTLEY COUNTY RESIDENT: _____

OCCUPATION: _____

CHECK ONE OF THE FOLLOWING:

AG ADVISORY BOARD: _____

APPRAISAL DISTRICT BOARD MEMBER: _____

APPRAISAL REVIEW BOARD MEMBER: _____

PUBLIC NOTICE

PENAL CODE §46.035

**THE CARRYING OF A
HANDGUN AT ANY
MEETING OF A
GOVERNMENTAL ENTITY IS
PROHIBITED BY TEXAS
LAW, REGARDLESS OF
WHETHER OR NOT THE
HANDGUN IS CONCEALED.
THIS INCLUDES MEETINGS
OF THIS DISTRICT'S BOARD
OF DIRECTORS AND OF
THE APPRAISAL REVIEW
BOARD.**

**HARTLEY COUNTY APPRAISAL DISTRICT
DISASTER RECOVERY PLAN
2010/2011**

Hartley County Appraisal District Staff:

Mary Thompson	Chief Appraiser
Debra Davis	Collections Clerk
Mary Batenhorst	Mapping Tech
Reagan Reynolds	Appraiser

Hartley County Appraisal District Board of Directors:

David Spinhirne	Chairman
James D. Clark	Vice-Chairman
David Ford	Secretary
Gene Rahll	
Dean Graham	

In the event of a disaster (during business hours):

- Stay tuned to KXIT/Weather channel for weather updates
- Notify spouse/relatives of plans
- Secure work space –shut-off/unplug computers & equipment in each office; lock all drawers
- Secure front counter, put change drawer in safe
- Secure computer room; backup data on server (if possible) & turn off, turn off printers, postage machine, copy machine; lock the safe & filing cabinets.
- Lock the filing cabinet in the storage room.
- Turn off computers in the Board Room.
- Check kitchen area and turn off all appliances
- Turn off heating/cooling unit
- Mary Thompson – in charge of all cash & deposits on hand. Take to the bank immediately (if possible) or put in fire-proof safe.
- Move in to the hallway away from door and windows. Wait for the all clear.
- After all clear check for damage. Report any damage to insurance & alert the Board.
- Secure the area & if damage, salvage records, documents, & equipment and move to a temporary site (ie Hartley Community Building).
- Recovery from off-site back-up as well as back-up in fire proof safe.
- Contact Allstate Security in Amarillo.

In the event of a disaster (after business hours):

- After home is secure staff will report to appraisal district office as soon as possible.
- Check building and contents for damage/report to authorities any damage.
- Notify insurance
- Notify Board of Directors
- Secure a temporary site for salvaged items/office (ie:Hartley Community Building)
- Check computers, safe & all filing cabinets for salvage of documents & records
- Recovery from off-site back-up as well as back-up in fire-proof safe
- Establish priority of salvaging records
- Begin physical packing and removal of records to temporary site/office.



Window on State Government

Susan Combs Texas Comptroller of Public Accounts

Web Site Survey

Keep these property tax dates close at hand

2010 Property Tax Calendar

January

1

- Date that 2010 taxable values and qualification for certain exemptions are determined (except for inventories appraised Sept. 1) (Secs. 23.01, 23.12).*
- Date a tax lien attaches to property to secure payments of taxes, penalties and interest that will be imposed for the year (Secs. 11.42, 23.01, 32.01).
- Date rendition period begins; continues through April 15 for those property owners not requesting a filing extension (Sec. 22.23).
- Date that half the members of the county appraisal district (CAD) board of directors begin two-year terms if the district has staggered terms (Sec. 6.034).
- Date that half of appraisal review board (ARB) members begin two-year terms (Sec. 6.41).

10

- If a 2009 tax bill is not mailed on or before this date, the delinquency date is postponed (Sec. 31.04).

31

- Deadline for Texas Comptroller's preliminary *2009 Property Value Study (PVS)* findings to go to Education Commissioner and each school district (Government Code Sec. 403.302).

February

1

- Last day for chief appraiser to deliver applications for special appraisal and exemptions requiring annual applications (Secs. 11.44, 23.43).
- Last day for disabled or 65-or-older homeowners to pay one quarter of homestead property taxes in installments. Homeowners whose homes were damaged in a disaster within a designated disaster area may choose this payment option (Secs. 31.031, 31.032).
- Last day for motor vehicle, boat and outboard motors, heavy equipment and manufactured housing dealers to file dealer's inventory declarations (Secs. 23.121, 23.124, 23.1241, 23.127).
- Last day for appraisal district to give public notice of 2010 capitalization rate used to appraise property with low- and moderate-income housing exemption (Sec. 11.1825).

2

- Date that 2009 taxes become delinquent if a bill was mailed on or before Jan. 10, 2010. Rollback tax for change of use of 1-d-1 land becomes delinquent if taxing unit delivered a bill to the owner on or before Jan. 10, 2010 (Secs. 23.46, 23.55, 23.76, 23.9807, 31.02).

15

- Last day for county tax collector to disburse motor vehicle, boat and outboard motor, heavy equipment and manufactured housing inventory taxes from escrow accounts to taxing units (Secs. 23.122, 23.1242, 23.125, 23.128).

March

2

- Last day to request cooperative housing appraisal (Sec. 23.19).

10

- Deadline to file written appeal of PVS findings with Texas Comptroller (Government Code Sec. 403.303).

31

- Last day for taxing units' second quarterly payment for 2010 CAD budget (Sec. 6.06).
- Last day for disabled or 65-or-older homeowners or homeowners or qualified businesses whose properties were damaged in a disaster area to pay second installments on home taxes (Secs. 31.031, 31.032).
- Last day for cities to report information regarding reinvestment zones and tax increment financing plans to Texas Comptroller (Sec. 311.019).
- Last day for qualified community housing development corporations to file listing of property acquired or sold during the past year with the chief appraiser (Sec. 11.182).

April

1

- Last day (or as soon as practicable thereafter) for chief appraiser to mail notices of appraised value for single-family residence homestead properties (Sec. 25.19).
- Last day for the chief appraiser to notify the taxing units of the form in which the appraisal roll will be provided to them (Sec. 26.01).

15

- Last day for property owners to file renditions and property information reports unless they request a filing extension in writing (Sec. 22.23).

NOTE: The Comptroller and each chief appraiser are required to publicize the legal requirements for filing rendition statements and the availability of the forms in a manner reasonably designed to notify all property owners of the law

(Sec. 22.21). Chief appraisers need to check with their legal counsel to determine the manner and timing of this notice to meet the legal requirement.

30

- Last day for property owners to file these applications or reports with the CAD:
 - Some exemption applications (Sec. 11.43)**;
 - Notice to chief appraiser that property is no longer entitled to an exemption not requiring annual application (Sec. 11.43);
 - Applications for special appraisal or notices to chief appraiser that property no longer qualifies for 1-d and 1-d-1 agricultural land, timberland, restricted-use timberland, recreational-park-scenic land and public access airport property (Secs. 23.43, 23.54, 23.75, 23.84, 23.94, 23.9804);
 - Railroad rolling stock reports (Sec. 24.32);
 - Requests for separate listing of separately owned land and improvements (Sec. 25.08);
 - Requests for proportionate taxing of a planned unit development property (Sec. 25.09);
 - Requests for separate listing of separately-owned standing timber and land (Sec. 25.10);
 - Requests for separate listing of undivided interests (Sec. 25.11); and
 - Requests for joint taxation of separately owned mineral interest (Sec. 25.12).
- Last day for chief appraiser to certify estimate of school district's taxable value for school district to use for publishing notice of budget and proposed tax rate and adopting its budget for a fiscal year that begins July 1. Chief appraiser must also certify estimate of taxable value for county and cities unless the taxing units choose to waive the estimate (Sec. 26.01).

May**1-**

- Period when taxing units may file resolutions with chief appraiser to change CAD finance method. Three-fourths of taxing units must file for change to occur (Sec. 6.061).

1-17

- Period when chief appraiser must publish notice about taxpayer protest procedures in a local newspaper with general circulation (Secs. 41.41, 41.70).

2-Jun 1

- Period when taxing units must notify delinquent taxpayers that taxes delinquent on July 1 will incur additional penalty for attorney collection costs (Sec. 33.07).

3

- Last day (or as soon as practicable thereafter) for chief appraiser to mail notices of appraised value for properties other than single-family residence homesteads (Sec. 25.19).

17

- Last day for property owners to file renditions and property information reports if they requested an extension in writing. For good cause, chief appraiser may extend this deadline another 15 days (Sec. 22.23).
- Last day (or as soon as practicable thereafter) for chief appraiser to mail notices of appraised value, denial of

exemptions and denial of special appraisal (Secs. 11.45, 23.44, 23.57, 23.79, 23.85, 23.95, 23.9805, 25.19).

- Date (or as soon as practicable thereafter) for chief appraiser to prepare appraisal records and submit to ARB (Secs. 25.01, 25.22).

1^c

- Last day for chief appraiser to count taxing units' resolutions to change CAD's finance method (Sec. 6.061).

24

- Last day for chief appraiser to notify taxing units of change in the CAD's finance method (Sec. 6.061).

June

1

- Last day for property owners to file protest with ARB (or by 30th day after notice of appraised value is delivered, whichever is later) (Sec. 41.44).
- Last day for taxing units to file challenges with ARB (or within 15 days after ARB receives appraisal records, whichever is later) (Sec. 41.04).
- Last day for disabled or 65-or-older homeowners or home owners and qualified businesses whose properties were damaged in a disaster area to pay third installment on home taxes (Secs. 31.031, 31.032).
- Last day for religious organizations to amend charters and file new applications for Sec. 11.20 exemption (or within 60 days of exemption denial, whichever is later) (Sec. 11.421).

14

- Last day for chief appraiser to submit recommended 2011 budget to CAD board and taxing units (unless taxing units have changed CAD's fiscal year) (Sec. 6.06).

16

- Beginning date that CAD board may pass resolution to change CAD finance method, subject to taxing units' unanimous approval. Period ends Aug. 14 (Sec. 6.061).

30

- Last day to pay second half of 2009 taxes by split payment (Sec. 31.03).
- Last day for taxing units' third quarterly payment for 2010 CAD budget (Sec. 6.06).
- Last day to form a taxing unit to levy 2010 property taxes (Sec. 26.12).
- Last day for taxing units to adopt local option percentage homestead exemptions (Sec. 11.13).
- Last day for private schools to amend charters and file new applications for (Sec. 11.21) exemption (or within 60 days of exemption denial, whichever is later) (Sec. 11.422).
- Last day for CADs to report formation of reinvestment zones and tax abatement agreements to the Texas Comptroller (Sec. 312.005).

J

1

- Date that delinquent taxes incur total 12 percent penalty (Sec. 33.01).
- Taxes delinquent on or after Feb. 1, but not later than May 1, incur additional penalty to pay attorney collection costs (Sec. 33.07). Taxing unit may add penalty for attorney collection costs to taxes delinquent on or after June 1; penalty is incurred on the first day of first month that begins at least 21 days after the date the collector sends property owner a notice of delinquency and penalty (Sec 33.08).
- Last day for ARBs to complete review of railroad rolling stock values for submission to Texas Comptroller (or as soon as practicable thereafter) (Sec. 24.35).

20

- Date ARB must approve appraisal records, but may not do so if more than 5 percent of total appraised value remains under protest. The board of directors of a CAD with a population of 1 million or more may postpone the deadline to Aug. 30 or increase the threshold percentage from 5 to 10 percent of the appraised value of properties not under protest (Sec. 41.12).

25

- Last day for Texas Comptroller to certify apportionment of railroad rolling stock value to counties, with supplemental records after that date (Sec. 24.38).

26

- Last day for chief appraiser to certify appraisal roll to each taxing unit (Sec. 26.01).

August

2

- Last day for property owners to apply for September 1 inventory appraisal for 2011 (Sec. 23.12).
- Last day for disabled or 65-or-older homeowners or homeowners and qualified businesses whose properties were damaged in a disaster area to pay fourth installment on home taxes (Secs. 31.031, 31.032).
- Date taxing unit's assessor submits appraisal roll and collection rate estimate for the current year to the governing body (or soon after) (Sec. 26.04).

9

- Date taxing units (other than school districts and small taxing units) must publicize effective tax and rollback rates, unencumbered fund balances, debt obligation schedule and other applicable items (or as soon as practical thereafter) (Sec. 26.04).

16

- Last day for CAD board to pass resolution to change CAD finance method, subject to taxing unit's unanimous consent (Sec. 6.061).
- Last day for CAD board to pass resolution to change number of directors, method for appointing or both, and deliver to each taxing unit (Sec. 6.031).
- Deadline for Texas Comptroller to certify final 2009 PVS findings to Education Commissioner and each school district (Comptroller Rule Sec. 9.4313).

30

- Date ARB must approve appraisal records in CADs with populations of 1 million or more where the board of directors has postponed the deadline from July 20 (Sec. 41.12).

31

- Last day for property owner to give, in writing, correct address to CAD for tax bill; penalties and interest waived if the bill is not sent to the correct address 21 days before delinquency date (Sec. 33.011).
- Last day taxing units may file resolutions with the CAD board to oppose proposed change in the CAD finance method (Sec. 6.061).
- Last day for taxing unit entitled to vote for appointment of CAD directors to file a resolution opposing a change by the CAD board in selection of directors (Sec. 6.031).

September

1

- 2011 taxable value of inventories may be determined as of this date, at property owner's written option (Sec. 23.12).

14

- Last day for CAD board to adopt 2011 CAD budget, unless a district has changed its fiscal year (Sec. 6.06).
- Last day for CAD board to notify taxing units in writing if a proposal to change a finance method by taxing units' unanimous consent has been rejected (Sec. 6.061).
- Last day for CAD board to notify taxing units in writing if a proposal to change the number or method of selecting CAD directors is rejected by a voting taxing unit (Sec. 6.031).

29

- Last day for taxing units to adopt 2010 tax rate, or no later than 60th day after the chief appraiser certifies appraisal roll to a unit. Failure to adopt by these required dates results in a unit adopting the lower of its effective tax rate for this year or last year's tax rate; unit's governing body must ratify new rate within five days (Sec. 26.05).

30

- Last day for taxing units' fourth quarterly payment for 2010 CAD budget (Sec. 6.06).

October

1

- Date tax assessor mails 2010 tax bills (or soon after) (Sec. 31.01).

November

30

First half of split payment of 2010 taxes is due on or before this date (Sec 31.03).

December

1-31

- Time when chief appraiser may conduct a mail survey to verify homestead exemption eligibility (Sec. 11.47).

31

- Last day for taxing units' first quarterly payment for 2011 CAD budget (Sec. 6.06).
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* Property Tax Code citations, unless otherwise noted.

** Exemption applications for cemeteries, charitable organizations, private schools, nonprofit water and wastewater supply corporations and other nonprofit organizations must be filed within one year of acquiring the property. Unless birth date information has been provided to the appraisal district, persons who become age 65 or qualify as disabled during a tax year must apply for the applicable homestead exemptions within one year of qualifying.

Note: The calendar shows the most important property tax deadlines for appraisal districts, taxing units and property owners in the 2010 tax year. When the last day for performing an act falls on a Saturday, Sunday or legal holiday, Tax Code Section 1.06 designates the deadline as the next regular business day. Check with the local appraisal district office or tax office if a due date falls on the weekend or holiday. The deadlines shown on the calendar have been adjusted accordingly. The information provided in this calendar is advisory only. Any questions should be addressed with legal counsel for the governmental entity.



Web Site Survey

Delinquency Dates, Penalty and Interest by Type of Property Tax Bill

The Texas Property Tax Code addresses 33 types of property tax bills. These bills vary by delinquency date and in applying delinquent penalty and interest charges. The chart below details each type of bill, its delinquency date, any penalty and interest amount. All section references in this chart refer to sections of the Tax Code. The information contained in this chart is provided by the Comptroller of Public Accounts as a public service and is intended to be used solely for informational purposes. The information neither constitutes nor serves as a substitute for legal advice. To obtain professional assurance regarding the issues addressed herein, the services of a competent professional should be sought.

Almost all property tax bills are due on receipt. Tax Code §31.01(g) provides that failure to send or receive the tax bill does not affect the validity of the tax, penalty, interest, the due date, the creation of a tax lien or any procedure instituted to collect a tax.

The only exception is that a property tax collector may not send a bill until the total taxes due for all taxing units the collector serves is \$15 or more. A property owner also may file a written request with the collector that a tax bill not be sent until the total amount of taxes due on the property is \$15 or more.

The dates in this chart show the delinquency date, not the last day to pay before delinquent. Tax Code §1.06 states that if the last date for the act to be performed is on a Saturday, Sunday or legal state or national holiday then the act is considered timely if done on the next business day. One example of how this provision would affect this chart is as follows:

- Tax bill mailed out Jan. 1.
- Last day to pay taxes without delinquency (last day for legal action to be performed) is Jan. 31.
- Taxes are shown in chart as delinquent on Feb. 1
- If Jan. 31 falls on a Friday, the taxes are delinquent on Saturday, Feb. 1
- If Jan. 31 falls on a Saturday, taxes may be paid on Monday, Feb. 2 and are delinquent on Tuesday, Feb. 3.
- If Jan. 31 falls on a Sunday, taxes may be paid on Monday, Feb. 1 and are delinquent on Tuesday, Feb. 2.

For questions about property tax bills and collections, call the Property Tax Assistance Division's Information Services Team at (800) 252-9121. In Austin, call 305-9999

Most Common Tax Bills

Type of Tax Bill	Delinquency Date	Penalty	Interest
1: Tax bills based on original certified appraisal roll for taxing units. [§ 31.01]	1. If tax bill mailed on or before Jan. 10, then delinquent on Feb. 1, unless split payment option is offered by collecting unit. [§ 31.02] 2. If tax bill mailed after Jan. 10, then delinquent on the first day of next month that provides at least 21 days for payment. [§ 31.04(a)]	1. Six percent for first month or portion of month, plus 1 percent for each additional month delinquent. 2. On July 1, accrues 12 percent and stops increasing. [§ 33.01(a)] 3. If delinquent before June 1, if applicable, on July 1 also accrues up to 20 percent penalty for attorney fees. [§§ 6.30(c) and 33.07]. 4. If delinquent on or after June 1, accrues up to 20 percent penalty for attorney fees (if applicable) after notice sent giving 21 days to the first day of next month. [§§ 6.30(c) and 33.08]	One percent for each month or portion of month tax remains delinquent. [§ 33.01(c)]
2: Corrected tax bills for taxes not paid from original tax bills. [§ 26.15(d)]	Same as delinquency date on original tax bills. [§ 26.15(d)]	1. Six percent for first month or portion of month, plus 1 percent for each additional month delinquent. 2. On July 1, accrues 12 percent and stops increasing. [§ 33.01(a)] 3. If delinquent before June 1, if applicable, on July 1 also accrues up to 20 percent penalty for attorney fees. [§§ 6.30(c) and 33.07] 4. If delinquent on or after June 1, accrues up to 20 percent penalty for attorney fees (if applicable) after notice sent giving 21 days to the first day of next month. [§§ 6.30(c) and 33.08] Penalty is automatic if corrected tax bills mailed after the delinquency date, and original tax bills are also delinquent.	One percent for each month or portion of month tax remains delinquent. [§ 33.01(c)]
3: Corrected tax bills for taxes that are already paid from original tax bills.	Feb. 1, or the first day of next month that provides at least 21 days for payment, whichever is later. [§ 26.15(e)]	1. Six percent for first month or portion of month, plus 1 percent for each additional month delinquent. 2. On July 1, accrues 12 percent and stops increasing. [§ 33.01(a)] 3. If delinquent before June 1, if applicable, on July 1 also accrues up to 20 percent penalty for attorney fees. [§§ 6.30(c) and 33.07] 4. If delinquent on or after June 1, accrues up to 20 percent penalty for attorney fees (if applicable) after notice sent giving 21 days to the first day of next month. [§§ 6.30(c) and 33.08]	One percent for each month or portion of month tax remains delinquent. [§ 33.01(c)]
4. Tax bills mailed after Sept. 30 in a taxing unit that adopted a late discount option according to Section 31.05(c).	First day of next month following fourth full calendar month from date tax bills were mailed. [§ 31.04(d)]	1. Six percent for first month or portion of month, plus 1 percent for each additional month delinquent. 2. On July 1, accrues 12 percent and stops increasing. [§ 33.01(a)] 3. If delinquent before June 1, if applicable, on July 1 also accrues up to 20 percent penalty for attorney fees. [§§ 6.30(c) and 33.07] 4. If delinquent on or after June 1, accrues up to 20 percent penalty for attorney fees (if applicable) after notice sent giving 21 days to the first day of next month. [§§ 6.30(c) and 33.08]	One percent for each month or portion of month tax remains delinquent. [§ 33.01(c)]
5: Tax bills mailed in taxing unit that adopted split payment option. [§ 31.03]	One half of taxes must be paid by November 30 or split option is not available. Remaining half delinquent if not paid by June 30. [§ 31.03(a)]	1. 12 percent on second half, beginning July 1. [§ 33.01(b)] 2. Accrues up to 20 percent penalty for attorney fees (if applicable) after notice sent giving 21 days to the first day of next month. [§§ 6.03(c) and 33.08]	One percent for each month or portion of month tax remains delinquent. [§ 33.01(c)]
6: Tax bills mailed for	1. If tax bill mailed on or before Jan.	1. Six percent for first month or portion of month, plus 1 percent for	One percent for each month or portion

<p>supplemental appraisal records. [§ 25.23(a)(2)]</p>	<p>10, then delinquent on Feb. 1, unless split payment option is offered by collecting unit. [§ 31.02] 2. If tax bill mailed after Jan. 10, then delinquent on the first day of next month that provides at least 21 days for payment. [§ 31.04(a)]</p>	<p>each additional month delinquent. 2. On July 1, accrues 12 percent and stops increasing. [§ 33.01(a)] 3. If delinquent before June 1, if applicable, on July 1 also accrues up to 20 percent penalty for attorney fees. [§§ 6.30(c) and 33.07] 4. If delinquent on or after June 1, accrues up to 20 percent penalty for attorney fees (if applicable) after notice sent giving 21 days to the first day of next month. [§§ 6.30(c) and 33.08]</p>	<p>of month tax remains delinquent. [§ 33.01(c)]</p>	<p>Exempt T 10: Corre on indivi becoming year, but older or c for the er [§ 26.112]</p>
<p>7: Tax bills based on substantial value change by review board. [§ 25.25(d)] There is a penalty of 10 percent of the corrected appraised value for the change.</p>	<p>1. If tax bill mailed on or before Jan. 10, then delinquent on Feb. 1, unless split payment option is offered by collecting unit. [§ 31.02] 2. If tax bill mailed after Jan. 10, then delinquent on the first day of next month that provides at least 21 days for payment. [§ 31.04(a)]</p>	<p>1. Six percent for first month or portion of month, plus 1 percent for each additional month delinquent. 2. On July 1, accrues 12 percent and stops increasing [§ 33.01(a)] 3. If delinquent before June 1, if applicable, on July 1 also accrues up to 20 percent penalty for attorney fees. [§§ 6.30(c) and 33.07] 4. If delinquent on or after June 1, accrues up to 20 percent penalty for attorney fees (if applicable) after notice sent giving 21 days to the first day of next month. [§§ 6.30(c) and 33.08]</p>	<p>One percent for each month or portion of month tax remains delinquent. [§ 33.01(c)]</p>	<p>11: Corre on indivi qualifyin, disability city or sp [§ 26.10]</p>
<p>8: Tax bills for a taxing unit reducing its rate because of a successful rollback election. [§ 26.07]</p>	<p>Calculate the number of days between the date the first bills were mailed and the date the rollback rate bills were mailed. Add this number of days to the delinquency date for the first tax bills - usually Feb. 1. [§ 26.07(f)].</p>	<p>1. Six percent for first month or portion of month, plus 1 percent for each additional month delinquent. 2. On July 1, accrues 12 percent and stops increasing. [§ 33.01(a)] 3. If delinquent before June 1, if applicable, on July 1 also accrues up to 20 percent penalty for attorney fees [§§ 6.30(c) and 33.07]. 4. If delinquent on or after June 1, accrues up to 20 percent penalty for attorney fees (if applicable) after notice sent giving 21 days to the first day of next month [§§ 6.30(c) and 33.08].</p> <p>NOTE: Please check with your attorney on how to apply these penalties for tax bills based on delayed delinquency dates.</p>	<p>One percent for each month or portion of month tax remains delinquent. [§ 33.01(c)]</p>	
<p>9: Tax bills for a final determination of appeals that changed tax liability.</p>	<p>1. If taxes have not been paid, the delinquency date is the same as the date on the original bills. 2. If taxes have been paid and the court increased the liability. [§ 42.42(b)] a. If the bill is mailed before Jan. 10, the tax is delinquent on Feb. 1; or b. If the bill is mailed after Jan 10, the tax is delinquent on the first day of the next month that is 21 days after the bill is mailed. 3. If taxes are partially paid, the delinquency date is the same as on the original tax bill. [Sec 43.43(c)] 4. If no taxes have been paid and the court found that paying the taxes constitutes unreasonable restraint on the taxpayer: a. If the bill is mailed before Jan. 10, the tax is delinquent on Feb. 1 b. If the bill is mailed after Jan 10, the tax is delinquent on the 1st of the first month that is 21 days after the bill is mailed.</p>	<p>1. Six percent for first month or portion of month, plus 1 percent for each additional month delinquent. 2. On July 1, accrues 12 percent and stops increasing. [§ 33.01(a)] 3. If delinquent before June 1, if applicable, on July 1 also accrues up to 20 percent penalty for attorney fees. [§§ 6.30(c) and 33.07] 4. If delinquent on or after June 1, accrues up to 20 percent penalty for attorney fees (if applicable) after notice sent giving 21 days to the first day of next month. [§§ 6.30(c) and 33.08]</p> <p>Note: if there was a partial payment, these penalties apply as if the delinquency date was the original tax bill delinquency date. All other cases use the delinquency date shown in this chart.</p>	<p>1. If taxes have not been paid, the interest is calculated from the date the original bills would have been delinquent at a rate of 1 percent for each month or portion of month tax remains delinquent. [§ 33.01(c)] 2. If taxes have been paid and the court increased the liability, the interest is calculated from the delinquency date at a rate of 1 percent for each month or portion of month tax remains delinquent. [§§ 33.01(c) and 42.42(b)] 3. If taxes have been partially paid, the interest is calculated from the date the original tax bill would have been delinquent at a rate of 1 percent for each month or portion of month tax remains delinquent. [§§ 33.01(c) and 43.43(c)] 4. If no taxes have been paid and the court found that paying the taxes constitutes unreasonable restraint on the taxpayer, the interest is calculated from the date the original tax bill would have been delinquent at a rate of 1 percent for each month or portion of month tax remains delinquent. [§§ 33.01(c) and 43.43(d)].</p>	<p>12: Corre on organi exemptio year. [§§ 11.17, 11.21, 11.42(d)] 13: Tax t income [§§ 11.18, 11.1826, 14: Tax t erroneou: other than below as [§ 11.43(15: Tax t erroneou: exemptio received homestea year, the property older and was not 6 taxpayer spouse of older and was not 5 taxpayer exemptio [§§ 33.01 and 33.01</p>

16. Rollb
[§ 11.201]

Rollback that would have been exempted taxes from [§ 11.201]

17. Rollb
charitable improvin
income h
[§ 11.181]

Rollback that would have been exempted taxes from [§ 11.181]

Penalty Bills

Type of Tax Bill	Delinquency Date	Penalty	Interest
<p>23: Tax bills based on omitted property and not taxed in prior tax year [§ 25.21]. These tax bills include the back taxes plus 1 percent interest for each month from when the taxes would have become delinquent if they had been imposed in [§ 31.04(d)]</p>	<p>Delinquency is the Feb. 1 that occurs at least 180 days after mailing of the tax bills. [31.04(a-1)]</p>	<ol style="list-style-type: none"> 1. Six percent for first month or portion of month, plus 1 percent for each additional month delinquent. 2. On July 1, accrues 12 percent and stops increasing. [§ 33.01(a)] 3. If delinquent before June 1, if applicable, on July 1 also accrues up to 20 percent penalty for attorney fees [§ 6.30(e)] if delinquent between February 1 and May 1. [§ 33.07] 4. If delinquent on or after June 1, accrues 20 percent penalty for attorney fees (if applicable) after notice sent giving 21 days to the first day of next month. [§ 33.08] 	<p>One percent for each month or portion of month tax remains delinquent. [§ 33.01(c)]</p>
<p>24: Tax bills based on expiration of tax deferral or abatement for a 65 or older</p>	<p>The taxes are delinquent based on the day the taxes would have been delinquent if there had been no deferral or abatement, but</p>	<ol style="list-style-type: none"> 1. Six percent for first month or portion of month, plus 1 percent for each additional month delinquent, beginning when the deferral or abatement ends. 	<p>One percent for each month or portion of month tax remains delinquent after deferral or</p>

<p>homeowner if taxes were delinquent at the start of the deferral or abatement. [§ 33.06] These bills include all unpaid taxes, any penalties or interest that accrued before the deferral or abatement started, if applicable, and interest at an annual rate of 8 percent for the period of the deferral or abatement.</p>	<p>no penalty or interest may be applied during the period of the deferral or abatement.</p>	<ol style="list-style-type: none"> On July 1 after the deferral or abatement ends, accrues 12 percent and stops increasing. [§ 33.01(a)] If delinquent before June 1, if applicable, on July 1 also accrues up to 20 percent penalty for attorney fees [§ 6.30(c)] if delinquent between February 1 and May 1. This penalty may not be applied until the 181st day after the end of the deferral or abatement. [§ 33.07] If delinquent on or after June 1, accrues 20 percent penalty for attorney fees (if applicable) after notice sent giving 21 days to the first day of next month. This penalty may not be applied until the 181st day after the end of the deferral or abatement. [§ 33.08] 	<p>abatement ends. [§§ 33.01(c) and 33.06(d)].</p>	<p>Miscella</p>
<p>25: Tax bills based on expiration of tax deferral or abatement for an appreciating residence homestead. [§ 33.065] These bills include all unpaid taxes, any penalties or interest that accrued before the deferral or abatement started, if applicable, and interest at an annual rate of 8 percent for the period of the deferral or abatement.</p>	<p>The taxes are delinquent based on the day the taxes would have been delinquent if there had been no deferral or abatement, but no penalty or interest may be applied during the period of the deferral or abatement.</p>	<ol style="list-style-type: none"> Six percent for first month or portion of month, plus 1 percent for each additional month delinquent, beginning when the deferral or abatement ends. On July 1 after the deferral or abatement ends, accrues 12 percent and stops increasing. [§ 33.01(a)] If delinquent before June 1, if applicable, on July 1 also accrues up to 20 percent penalty for attorney fees [§ 6.30(c)] if delinquent between February 1 and May 1. This penalty may not be applied until the 91st day after the end of the deferral or abatement. [§ 33.07] If delinquent on or after June 1, accrues 20 percent penalty for attorney fees (if applicable) after notice sent giving 21 days to the first day of next month. This penalty may not be applied until the 91st day after the end of the deferral or abatement. [§ 33.08] 	<p>One percent for each month or portion of month tax remains delinquent after deferral or abatement ends. [§§ 33.01(c) and 33.06(d)]</p>	<p>30: Tax b payments homeown [§31.031] If the first delinquent remaining;</p>
<p>26: Tax bills for deficiency in motor vehicle, boat and motor, heavy equipment and manufactured housing inventory tax escrow accounts. [§§ 23.122(j), 23.124(j), 23.125(j), and 23.128(j)].</p>	<p>February 1 [§§ 23.122(k), 23.124(j), 23.125(k), and 23.128(j)]</p>	<ol style="list-style-type: none"> Six percent for first month or portion of month, plus 1 percent for each additional month delinquent. On July 1, accrues 12 percent and stops increasing. [§ 33.01(a)] If delinquent before June 1, if applicable, on July 1 also accrues up to 20 percent penalty for attorney fees. [§§ 6.30(c) and 33.07] If delinquent on or after June 1, accrues up to 20 percent penalty for attorney fees (if applicable) after notice sent giving 21 days to the first day of next month. [§§ 6.30(c) and 33.08] 	<p>One percent for each month or portion of month tax remains delinquent. [§§ 23.122(k), 23.124(j), 23.125(k), 23.128(j), and 33.01(c)].</p>	<p>31: Tax b payments homeown business [§ 31.032] If the first delinquent remaining;</p>
<p>27: Penalty on renditions filed late. Renditions are due on Apr. 15 extended by the Chief Assessor to either May 15 or May 31. The penalty for filing late becomes part of the original tax bill. [§§ 22.23 and 22.28]</p>	<ol style="list-style-type: none"> If tax bill mailed on or before Jan. 10, then it becomes delinquent on Feb. 1, unless split payment option is offered by collecting unit. [§ 31.02] If tax bill mailed after Jan. 10, then delinquent on the first day of next month that provides at least 21 days for payment. [§ 31.04(a)] 	<ol style="list-style-type: none"> Six percent for first month or portion of month, plus 1 percent for each additional month delinquent. On July 1, accrues 12 percent and stops increasing. [§ 33.01(a)] If delinquent before June 1, if applicable, on July 1 also accrues up to 20 percent penalty for attorney fees. [§§ 6.30(c) and 33.07] If delinquent on or after June 1, accrues up to 20 percent penalty for attorney fees (if applicable) after notice sent giving 21 days to the first day of next month. [§§ 6.30(c) and 33.08] 	<p>One percent for each month or portion of month tax remains delinquent. [§ 33.01(c)]</p>	<p>32: Tax b service ir [§§ 31.02] NOTE: T accrue pe other tax interest a paid on a payments days of:</p>
<p>28: Penalty on renditions filed late after exemption expires or is denied. [§ 22.02(a)] The rendition is late 30 days after the expiration or denial of an exemption on the property. [§ 22.02]</p>	<ol style="list-style-type: none"> If tax bill mailed on or before Jan. 10, then delinquent on Feb. 1, unless split payment option is offered by collecting unit. [§ 31.02] If tax bill mailed after Jan. 10, then delinquent on the first day of next month that provides at least 21 days for payment. [§ 31.04(a)] 	<ol style="list-style-type: none"> Six percent for first month or portion of month, plus 1 percent for each additional month delinquent. On July 1, accrues 12 percent and stops increasing. [§ 33.01(a)] If delinquent before June 1, if applicable, on July 1 also accrues up to 20 percent penalty for attorney fees. [§§ 6.30(c) and 33.07] If delinquent on or after June 1, accrues up to 20 percent penalty for attorney fees (if applicable) after notice sent giving 21 days to the first day of next month [§§ 6.30(c) and 33.08] 	<p>One percent for each month or portion of month tax remains delinquent. [§ 33.01(c)]</p>	<p>33: Tax b with the national c [§33.02(b)]</p>
<p>29: Early penalty on personal property. [§ 33.11]</p>	<ol style="list-style-type: none"> If tax bill mailed on or before Jan. 10, then delinquent on Feb. 1, unless split payment option is offered by collecting unit. [§ 31.02] If tax bill mailed after Jan. 10, then delinquent on the first day of next month that provides at least 21 days for payment. [§ 31.04(a)] 	<ol style="list-style-type: none"> Six percent for first month or portion of month, plus 1 percent for each additional month delinquent. On July 1, accrues 12 percent and stops increasing. [§ 33.01(a)] The tax accrues a penalty of up to 20 percent on the later of 60 days after the delinquency date or the date the taxes become subject to a contract with an attorney for collection. 	<p>One percent for each month or portion of month tax remains delinquent. [§ 33.01(c)]</p>	<p>1. Th dis 2. Th the 3. Th no Re 4. Th enc</p>