

SUBJECT: Property tax exemption for disabled first responders, surviving spouses

COMMITTEE: Ways & Means — favorable, without amendment

VOTE: 9 ayes — D. Bonnen, Y. Davis, Darby, Murphy, Murr, Raymond, Shine, Springer, Stephenson

0 nays

2 absent — Bohac, E. Johnson

WITNESSES: For — Charley Wilkison, Combined Law Enforcement Associations of Texas, CLEAT; Frederick Frazier, Dallas Police Assoc.; Ray Hunt, Houston Police Officers' Union; Mitch Landry, Texas Municipal Police Association (TMPA); (*Registered, but did not testify*: Anthony Marquardt, Association of Texas EMS Professionals; James McDade, Dallas Fire Fighters Association; Johnny Villarreal, Houston Fire Fighters Local 341; John Carlton, Texas State Association of Fire and Emergency Districts; Glenn Deshields and Aidan Alvarado, Texas State Association of Firefighters; Deborah Ingersoll, Texas State Troopers Association; Alexie Swirsky)

Against — (*Registered, but did not testify*: Adam Cahn, Cahnman's Musings; Eric Glenn and Hilary Shine, City of Killeen)

DIGEST: HB 179 would entitle a qualifying disabled first responder to a property tax exemption of the total appraised value of the first responder's residence homestead.

First responders would include individuals listed under Government Code, sec. 615.003, including peace officers, certain probation and parole officers, jailers and prison guards, paid and volunteer firefighters, and paid and volunteer emergency medical service responders. A qualifying disabled first responder would be one who, as a result of an injury occurring in the line of duty, was entitled to receive lifetime income benefits under Labor Code, sec. 408.161 for injuries including loss of

eyesight, loss of limbs, a spinal injury resulting in paralysis, certain traumatic brain injuries, or certain third-degree burns.

The surviving spouse of a disabled first responder who had qualified for an exemption when the first responder died would be entitled to an exemption of the total appraised value of the same property if the surviving spouse had not remarried and the property remained the residence homestead of the surviving spouse.

If a surviving spouse who qualified for such an exemption subsequently qualified a different property as the surviving spouse's residence homestead and had not remarried, the surviving spouse would be entitled to an exemption of the new property in an amount equal to the dollar amount of the exemption for the former homestead in the last year in which the surviving spouse received an exemption. The surviving spouse would be entitled to receive from the chief appraiser a written certificate providing the necessary information to determine the amount of the exemption to which the surviving spouse was entitled on the subsequently qualified homestead.

The bill would make certain other changes to conform with the new tax exemption.

HB 179 would take effect January 1, 2018, contingent on voter approval of the constitutional amendment proposed by HJR 30, authorizing the Legislature to provide for a property tax exemption from all or part of the market value of the residence homesteads of certain disabled first responders and their surviving spouses. It would apply only to a tax year beginning on or after that date.

**SUPPORTERS  
SAY:**

HB 179 would provide a needed property tax exemption to those first responders who are receiving lifetime disability payments after having suffered severe injuries in the line of duty. The exemption would be allowed in rare cases, such as when a first responder's injuries resulted in paralysis, blindness, burns, or loss of limbs. As a result, the bill would not be expected to result in significant loss of revenue for local taxing units.

The bill would build on action taken during the regular session to provide a property tax exemption for the homestead of the surviving spouse of a first responder who was killed in the line of duty. By providing a similar exemption for first responders disabled in the line of duty, Texans would send a message to first responders that their service to the community will not be forgotten.

Lifetime disability payments provide only about 60 percent of a first responder's regular paycheck, leaving those affected first responders and their families to struggle with financial costs after a disability. The bill would recognize the tremendous sacrifices of disabled first responders and ensure that they and their surviving spouses were not taxed out of their homes.

**OPPONENTS  
SAY:**

HB 179 would continue a pattern of providing tax exemptions to specialized categories of homeowners. However deserving disabled first responders may be, specialized exemptions increase the tax burden on other homeowners. A better policy would be to end specialized tax exemptions and reduce property taxes for all homeowners.

**NOTES:**

HB 179 is the enabling legislation for HJR 30 by Roberts, which is set for second-reading consideration on today's Constitutional Amendments Calendar.