

Tex. Tax Code § 23.01

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Sec. 23.01. Appraisals Generally.

- (a) Except as otherwise provided by this chapter, all taxable property is appraised at its market value as of January 1.
- (b) The market value of property shall be determined by the application of generally accepted appraisal methods and techniques. If the appraisal district determines the appraised value of a property using mass appraisal standards, the mass appraisal standards must comply with the Uniform Standards of Professional Appraisal Practice. The same or similar appraisal methods and techniques shall be used in appraising the same or similar kinds of property. However, each property shall be appraised based upon the individual characteristics that affect the property's market value, and all available evidence that is specific to the value of the property shall be taken into account in determining the property's market value.
- (c) Notwithstanding Section 1.04(7)(C), in determining the market value of a residence homestead, the chief appraiser may not exclude from consideration the value of other residential property that

is in the same neighborhood as the residence homestead being appraised and would otherwise be considered in appraising the residence homestead because the other residential property:

(1) was sold at a foreclosure sale conducted in any of the three years preceding the tax year in which the residence homestead is being appraised and was comparable at the time of sale based on relevant characteristics with other residence homesteads in the same neighborhood; or

(2) has a market value that has declined because of a declining economy.

(d) The market value of a residence homestead shall be determined solely on the basis of the property's value as a residence homestead, regardless of whether the residential use of the property by the owner is considered to be the highest and best use of the property.

(e) Notwithstanding any provision of this subchapter to the contrary, if the appraised value of property in a tax year is lowered under Subtitle F, the appraised value of the property as finally determined under that subtitle is considered to be the appraised value of the property for that tax year. In the next tax year in which the property is appraised, the chief appraiser may not increase the appraised value of the property unless the increase by the chief appraiser is reasonably supported by clear and convincing evidence when all of the reliable and probative evidence in the record is considered as a whole. If the appraised value is finally determined in a protest under Section 41.41(a)(2) or an appeal under Section 42.26, the chief appraiser may satisfy the requirement to reasonably support by clear and convincing evidence an increase in the appraised value of the property in the next tax year in which the property is appraised by presenting evidence showing that the inequality in the appraisal of property has been corrected with regard to the properties that were considered in determining the value of the subject property. The burden of proof is on the chief appraiser to support an increase in the appraised value of property under the circumstances described by this subsection.

(f) The selection of comparable properties and the application of appropriate adjustments for the determination of an appraised value of property by any person under Section 41.43(b)(3) or 42.26(a)(3) must be based on the application of generally accepted appraisal methods and techniques. Adjustments must be based on recognized methods and techniques that are necessary to produce a credible opinion.

(g) Notwithstanding any other provision of this section, property owners representing themselves are entitled to offer an opinion of and present argument and evidence related to the market and appraised value or the inequality of appraisal of the owner's property.

(h) Appraisal methods and techniques included in the most recent versions of the following are considered generally accepted appraisal methods and techniques for the purposes of this title:

(1) the Appraisal of Real Estate published by the Appraisal Institute;

(2) the Dictionary of Real Estate Appraisal published by the Appraisal Institute;

(3) the Uniform Standards of Professional Appraisal Practice published by The Appraisal Foundation; and

(4) a publication that includes information related to mass appraisal.

History

Enacted by Acts 1979, 66th Leg., ch. 841 (S.B. 621), § 1, effective January 1, 1982; am. Acts 1985, 69th Leg., ch. 823 (S.B. 908), § 5, effective January 1, 1986; am. Acts 1997, 75th Leg., ch. 1039 (S.B. 841), § [21](#), effective January 1, 1998; am. Acts 2009, 81st Leg., ch. 619 (H.B. 1038), § [1](#), effective January 1, 2010; am. Acts 2009, 81st Leg., ch. 1211 (S.B. 771), § [1](#), effective January 1, 2010; am. Acts 2009, 81st Leg., ch. 1405 (H.B. 3613), § [2](#), effective January 1, 2010; am. Acts 2011, 82nd Leg., ch. 91 (S.B. 1303), § [27.001\(56\)](#), (57), effective September 1, 2011; am. [Acts 2015, 84th Leg., ch. 101 \(H.B. 2083\)](#), § [1](#), effective January 1, 2016; am. [Acts 2019, 86th Leg., ch. 944 \(S.B. 2\)](#), § [28](#), effective January 1, 2020; am. [Acts 2019, 86th Leg., ch. 1284 \(H.B. 1313\)](#), § [2](#), effective January 1, 2020.

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Tex. Tax Code § 23.0101

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Sec. 23.0101. Consideration of Alternate Appraisal Methods.

In determining the market value of property, the chief appraiser shall consider the cost, income, and market data comparison methods of appraisal and use the most appropriate method.

History

Enacted by Acts 1997, 75th Leg., ch. 1039 (S.B. 841), § [22](#), effective January 1, 1998; am. Acts 1999, 76th Leg., ch. 1295 (S.B. 1641), § [1](#), effective January 1, 2000.

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Tex. Tax Code § 23.011

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Sec. 23.011. Cost Method of Appraisal.

If the chief appraiser uses the cost method of appraisal to determine the market value of real property, the chief appraiser shall:

- (1) use cost data obtained from generally accepted sources;
- (2) make any appropriate adjustment for physical, functional, or economic obsolescence;
- (3) make available to the public on request cost data developed and used by the chief appraiser as applied to all properties within a property category and may charge a reasonable fee to the public for the data;
- (4) clearly state the reason for any variation between generally accepted cost data and locally produced cost data if the data vary by more than 10 percent; and

(5) make available to the property owner on request all applicable market data that demonstrate the difference between the replacement cost of the improvements to the property and the depreciated value of the improvements.

History

Enacted by Acts 1997, 75th Leg., ch. 1039 (S.B. 841), § [22](#), effective January 1, 1998.

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Tex. Tax Code § 23.012

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Sec. 23.012. Income Method of Appraisal.

(a) If the income method of appraisal is the most appropriate method to use to determine the market value of real property, the chief appraiser shall:

- (1) analyze comparable rental data available to the chief appraiser or the potential earnings capacity of the property, or both, to estimate the gross income potential of the property;
- (2) analyze comparable operating expense data available to the chief appraiser to estimate the operating expenses of the property;
- (3) analyze comparable data available to the chief appraiser to estimate rates of capitalization or rates of discount; and
- (4) base projections of future rent or income potential and expenses on reasonably clear and appropriate evidence.

(b) In developing income and expense statements and cash-flow projections, the chief appraiser shall consider:

- (1) historical information and trends;
- (2) current supply and demand factors affecting those trends; and
- (3) anticipated events such as competition from other similar properties under construction.

History

Enacted by Acts 1997, 75th Leg., ch. 1039 (S.B. 841), § [22](#), effective January 1, 1998; am. Acts 2003, 78th Leg., ch. 548 (H.B. 1460), § [1](#), effective January 1, 2004.

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