



Dallas Central Appraisal District

August 16, 2023

Dallas Central Appraisal District Taxing Units Presiding Officers

RE: Senate Bill 2 Changes to DCAD Board of Directors

Dear Taxing Units:

With passage of SB 2 in the 2nd Special Session of 88th Texas Legislature the make-up of the DCAD Board of Directors will be changed assuming SJR2 passes in the November election. Below are the new requirements for the DCAD Board of Directors:

Sec. 6.0301. BOARD OF DIRECTORS IN POPULOUS COUNTIES. (a) This section applies only to an appraisal district established in a county with a population of 75,000 or more.

(b) Sections 6.031, 6.034, and 6.10 do not apply to an appraisal district to which this section applies.

(c) The appraisal district is governed by a board of nine directors. Five directors are appointed by the taxing units that participate in the district in the manner prescribed by Section 6.03. Three directors are elected by majority vote at the general election for state and county officers by the voters of the county in which the district is established. The county assessor-collector serves as an ex officio director.

(d) To be eligible to serve on the board of directors, an individual other than the county assessor-collector must be a resident of the district and must have resided in the district for at least two years immediately preceding the date the individual takes office. An individual who is otherwise eligible to serve on the board is not ineligible because of membership on the governing body of a taxing unit. An employee of a taxing unit that participates in the district is not eligible to serve on the board unless the individual is also a member of the governing body or an elected official of a taxing unit that participates in the district.

(e) Members of the board of directors appointed by the taxing units participating in the district serve staggered four-year terms beginning on January 1 of every other even-numbered year. Elected members of the board of directors serve staggered four-year terms beginning on January 1 of every other odd-numbered year.

(f) If a vacancy occurs in an appointive position on the board of directors, each taxing unit that is entitled to vote under Section 6.03 may nominate by resolution adopted by its governing body a candidate to fill the vacancy. The taxing unit shall submit the name of its nominee to the chief appraiser within 45 days after notification from the board of directors of the existence of the vacancy, and the chief appraiser shall prepare and deliver to the board of directors within the next five days a list of the nominees. The board of directors shall appoint by majority vote of its members one of the nominees to fill the vacancy.

(g) If a vacancy occurs in an elective position on the board of directors, the board of directors shall appoint by majority vote of its members a person to fill the vacancy. A person appointed to fill a vacancy in an elective position must have the qualifications required of a director elected at a general election.

Sec. 6.032. BALLOT PROCEDURES FOR ELECTED DIRECTORS; FILING FEE OR PETITION. (a) Except as provided by this section, Chapter 144, Election Code, applies to a candidate for an elective position on an appraisal district board of directors.

(b) An application for a place on the ballot must be filed with the county judge of the county in which the appraisal district is established and be accompanied by a filing fee prescribed by Subsection (c) of this section or a petition in lieu of the filing fee that satisfies the requirements prescribed by Section 141.062, Election Code, and Subsection (d) of this section.

(c) The filing fee for a place on the ballot is:

- (1) \$400 for a county with a population of 200,000 or more; or
- (2) \$200 for a county with a population of less than 200,000.

(d) The minimum number of signatures that must appear on the petition authorized by Subsection (b) is the lesser of:

(1) 500; or

(2) two percent of the total vote received in the county by all the candidates for governor in the most recent gubernatorial general election, unless that number is less than 50, in which case the required number of signatures is the lesser of:

(A) 50; or

(B) 20 percent of that total vote.

(e) A filing fee received under this section shall be deposited in the county treasury to the credit of the county general fund.

(f) The secretary of state shall adopt rules as necessary to implement this section.

The implementation of the changes are as follows:

(a) Appraisal district directors shall be elected to the elective positions as provided by Section 6.0301, Tax Code, as added by this article, beginning with the election conducted on the uniform election date in May 2024. The directors then elected take office on July 1, 2024, and serve a term that expires on December 31, 2026.

(b) Following the election of the initial elected directors of an appraisal district as provided by Subsection (a) of this section, directors shall be elected as provided by Section 6.0301, Tax Code, as added by this article, beginning with the general election conducted in November 2026. Directors then elected take office January 1, 2027.

(c) At the first meeting of the board of directors of an appraisal district described by Section 6.0301, Tax Code, as added by this article, that follows the November 2026 general election of directors under that section, the three elected directors shall draw lots to determine which director shall serve a term of two years and which two directors shall serve a term of four years. Thereafter, all elected directors serve four-year terms.

(d) The term of an appraisal district director serving on December 31, 2024, on the board of directors of an appraisal district described by Section 6.0301, Tax Code, as added by this article, expires on January 1, 2025. Not later than December 31, 2024, the taxing units participating in the appraisal district that are entitled to appoint directors shall appoint five directors to serve terms that begin on January 1, 2025. Two directors shall be appointed to serve a term of one year, and three directors shall be appointed to serve a term of three years. Thereafter, all appointed directors serve four-year terms.

For the upcoming election we will be operating under the current rules that have been in effect since 1981. However the Board Members that will be appointed in this year's election will only serve one-year terms that will expire on December 31, 2024. Another election will be held next fall under the new law using the levy method. The first set of popularly elected Board Members will be elected in the May 2024 general election and assume office on July 1, 2024. There terms will expire on December 31, 2026.

The new law also does away with three-fourths rule for changing the procedures for appointed Board Members. DCAD has had a three-fourths rule in effect since 1981. Under the current rule the Board is made up as follows:

Suburban Cities:	One representative elected by the suburban cities
Suburban Schools:	One representative elected by the suburban schools

September 18, 2023

(The Dallas County Community College will be considered a suburban school district and will receive one vote)

Dallas County:	Appoints one representative who may not be a resident of either the City of Dallas or the Dallas Independent School District
City of Dallas:	Appoints one representative
Dallas ISD:	Appoints one representative

Under the new law Board selection for the five appointed members will be based on the levy method as described in Section 6.03(d), Tax Code:

The voting entitlement of a taxing unit that is entitled to vote for directors is determined by dividing the total dollar amount of property taxes imposed in the district by the taxing unit for the preceding tax year by the sum of the total dollar amount of property taxes imposed in the district for that year by each taxing unit that is entitled to vote, by multiplying the quotient by 1,000, and by rounding the product to the nearest whole number. That number is multiplied by the number of directorships to be filled. A taxing unit participating in two or more districts is entitled to vote in each district in which it participates, but only the taxes imposed in a district are used to calculate voting entitlement in that district.

It will require twenty percent of the total votes to be appointed as a Board Member.

Our legal counsel and our professional association, Texas Association of Appraisal Districts, are currently reviewing Senate Bill 2 for other questions we have. I would encourage your legal counsel to review the bill as well. We will keep you apprised of any other changes.

Sincerely yours,

**W. Kenneth Nolan
Chief Appraiser/Executive Director
Dallas Central Appraisal District**