They Don’t Do That in Texas!

Review of Surrounding States Ad Valorem Systems

Oklahoma Tax Commission Annual Conference, Tulsa
2008
Dedicated to Anyone who has ever heard:

• “I’m going to sell my property and move to ________.

• Our taxes are higher than________.

• They do __________in________ so why don’t we do that here???
Neighboring States Ad Valorem System

- Who does the job?
- What are the neighbors’ doing?
- How does that compare to Oklahoma?
Hi Neighbor. How are you?
Our Neighbors

- Arkansas
- Colorado*
- Kansas*
- Louisiana
- Missouri
- New Mexico*
- Texas*
The Big Issues

• Tax Base
• Homestead Exemption
• Seniors/Low-income
• Agriculture

• New Approaches
Same Only Different

- Two States Appointed Assessors
- Two States Term Limited
- One State
  - 100% Value
  - Tabor
  - State Home Rule
- Two “Classification” States
- Five Fractional Assessment States
Comparing States

• Hard to Compare

• Grass is always Greener.

• Comparison Useful/ Part of Tax Policy
Apples and Oranges

- Colorado does not have a homestead; Oklahoma has a homestead exemption.
- **True**, but residential property is assessed at 7.96% in Colorado.
Cherry Picking

• Arkansas’s average millage is lower than Oklahoma:
  - Arkansas Average Millage is $46.69.
  - Oklahoma  $85.00

True, but Arkansas’s local assessment percentage is 20%; Oklahoma 11-13.5%
Always do the Math

- Louisiana’s homeowner’s exemption is $7,500; Oklahoma only $1,000.
  - Louisiana 10%; Oklahoma is 11-13.5%
  - A $75,000 house has zero taxable value.
## Show me the Money!!

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# National Legislative Conference 2005

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How good are the rankings?

Don’t bet the farm.
## Accurate Rankings???

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<td>45</td>
<td>47</td>
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</table>
Oklahoma: Who does the job?

- County Assessor
- Elected to Four Year Term (No Term Limit)
- Accredited
- County level elected official
Oklahoma: What is the job?

- Fair Market Value
- **Fractional Assessment Percentage**
  - 10-13.5% Local; 22.85% Public Service**
- Millage Limitations
- SQ 676 Limitation (5% Cap)
- Homestead Exemption
Fractional Assessment

- Market Value: $100,000
- Assessment %: X 11%
- Assessed Value: 11,000
- Millage: 80 mills
- Tax Bill: $880
What’s Different about our System?

• County sets percentage

• Fixed Millages (Not set by budget process)
Arkansas and Oklahoma

- 75 County Assessors (Elected)
- True Market Value
- Assessment Coordination Division

- 77 County Assessors (Elected)
- Fair Market Value
- Ad Valorem Division
Arkansas and Oklahoma

- State Agency that does training, ratio studies, technical assistance, reappraisal orders

- Public Utilities and Carriers - Public Service Commission
Same only Different

- Extensive Training requirements for county *(May not be the assessor)*

- Agriculture—Rice, Crop, Pasture, and Timber land

- Values more central by district
Arkansas and Oklahoma

- Appeals to County Board
- Budget millages set by Quorum Court. (Includes up to 15 people)
Arkansas “No Homestead”

• Arkansas has no homestead exemption, but instead $300 tax credit.

• Would you rather have a $300 tax credit or a $6,425.35 homestead?
### Arkansas

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<tr>
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<td>$100,000</td>
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<tr>
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<td>42.96 mills</td>
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<td>$859</td>
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<tr>
<td>Credit</td>
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<tr>
<td>Final Bill</td>
<td>$880</td>
<td>$559</td>
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Amendment 79 (2001)

• 5% limit on homesteads from reappraisal

• 10% limit on non-homestead real property

• Freeze for 65/disabled (no income level)
Arkansas Agriculture

• Four Land Regions (Delta, Ouachita, Ozark and Southwest)

• Rice, Crop, Pasture and Timber

• NRCS Classification/ ACD Value
Arkansas Summary

• Similar Systems

• Higher Assessment Percentage

• Homeowner Tax Credit

• State Ordered Reappraisals
Colorado and Oklahoma

- 64 County Assessors**
- Fractional Assessment
- Fair Market Value

- 77 County Assessors
- Fractional Assessment
- Fair Market Value
Colorado and Oklahoma

- **Elected Assessors - 64 Counties**

- **Term Limits** (Two terms, three terms, and eliminated terms limits)

- Two appointed Assessors (Denver and Broomfield Home Rule City-County)
Education

• Required Annual School

• Classes not available to public

• IAAO/ethics/ law seminar

• Colorado Real Estate Appraisers
Colorado Residential

- **Colorado Residential** 7.96%
- **Other property** 29%
- Gallagher Amendment stabilizes residential property’s share of the statewide property tax base
Gallagher Amendment (1982)

- Biennial Calculation
- Legislature adjusts assessment percentage for residential
- When home values grow faster than business, homeowners pay less.
Taxpayer Bill of Rights (TABOR)

- Gallagher Amendment (1982)
- TABOR (1992) Revenues tied to inflation and population growth
- Referendum C suspended revenue limit 2006-2010.
## Residential Tax Calculation

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<td><strong>Taxable</strong></td>
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<td>7,960</td>
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<td>80 mills</td>
<td>75.541 mills</td>
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<td><strong>Tax Bill</strong></td>
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<td>$601.31</td>
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## Colorado Tax Calculation

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<tr>
<td><strong>Assessment %</strong></td>
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<td><strong>Taxable</strong></td>
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<tr>
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Colorado Relief Programs

- Tax/Rent/Heat Rebate
- Property Tax Deferral
- Property Tax Work-Off Program
- Senior Citizen Exemption
- Disabled Veteran Exemption
Colorado Senior Exemption

- 65 Years Old/Owner Primary Residence.
- 50% of first $200,000 actual value.
- State reimburses local government
### Senior Exemption

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- **Assessment %**: 7.96%
- **Senior Value**: $100,000
- **Senior Exemption**: $90,000
Appeals Process

- Real Property Protest-June 1
- County Board (Commissioners)
- Appeal to Arbitrator, District Court or Board of Assessment Appeals
Colorado Agriculture

• Land must be farm, ranch, conservation practice, or restored
• 40 acres forest; 80 acres other
• Value: Capitalized at 13%
• Income: 10 year average rent/expenses
• 29% assessment.
Colorado Summary

• Similar System

• Gallagher Amendment and Tabor

• Arbitrator System on Appeals

• Numerous Relief Programs
Kansas and Oklahoma

- 105 County Appraisers
- Fractional Assessment**
- Fair Market Value

- 77 County Assessors
- Fractional Assessment
- Fair Market Value
Kansas

- Kansas County Appraisers

- Appointed by County Commissioners - 4 year term

- Certified by State
Kansas Classification System

- Residential 11.5%
- Agr Land 30.0%
- Vacant Lots 12.0%
- 501 (c) 12.0%
- Public Utility 33.0%
- Commercial 25.0%
- Industrial 25.0%
Kansas Personal Property

- Mobile Homes 11.5%
- Public Utility PP 33.0%
- Motor Vehicle** 30.0%
- Commercial** 25.0%
- Other PP 30.0%
- **Household and Inventories Exempt**
Classification System

**Pros**
- Tax burden
- Favored classes
- Exemptions

**Cons**
- Complexity
- Inequity
- Fights over classification
### Assessment Percentages

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<td>P.U.</td>
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Kansas Homestead Refund

- Homeowner or Renter
  - 55 Years old
  - Disabled
  - Dependent children
- Kansas Resident, Income $29,100, no delinquent taxes and other requirements
What about the renter???

- Rented House on tax rolls
- Rent not paid from public funds
- 20% of rent assumed tax amount
Kansas Certified Appraiser

• Certified General Real Property Appraiser,

• Registered Mass Appraisal,

• Or IAAO RES or CAE

• 6,000 hours experience; case study
Kansas Agriculture

• “Use Value” Appraisal

• Modified income approach

• Eight year average net income

• State values land annually
Kansas Summary

- Appointed County Appraisers
- High Level of Training
- Classification State
- Homestead Refund
Louisiana and Oklahoma

- 64 Parish ** Appraisers
- Fractional Assessment**
- Fair Market Value

- 77 County Assessors
- Fractional Assessment
- Fair Market Value
Louisiana Classification

- Land 10.0%
- Residential 10.0%
- Commercial 15.0%
- Business Personal 15.0%
- Public Service** 25.0%

** Excludes land
## Louisiana Tax Calculation

<table>
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Mardi Gras property exempt
Special Assessment Level

- Homestead Property 65 or older
- Veterans 50% rated/disabled/MIA

- *Cannot receive freeze if adjusted gross income above $62,180*
Louisiana Agriculture

- Use Value
- Timber methodology
- Capitalization Rate fixed 10%
Louisiana Summary

- Elected Parish Assessors
- High Homestead Exemption
- Classification System
Missouri and Oklahoma

- 112 County Assessors (Three appointed)
- Fractional Assessment
- Fair Market Value

- 77 County Assessors
- Fractional Assessment
- Fair Market Value
Missouri Classification

- Real Estate 19.0%
- Agriculture 12.0%
- Commercial/other 32.0%
- Cars and boats 33.3%
Missouri Classification

- Historical autos 5.0%
- Farm Equipment 12.0%
- Livestock 12.0%
## Missouri Tax Calculation

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<td>Tax Bill</td>
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<td><strong>$1,102</strong></td>
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Senior Exemption

• 65 or older/totally disabled/60 or older receiving survivor social security AND
• Income $25,000 single; $27,000 married.

• Refund up to $750 of tax bill.
Or!
Homestead Preservation

- Seniors/100% Disabled tax credit for increase 2.5% (or 5% in reassessment year)
- 65 or older - Income less than $70,000
- Taxes must be current

- **Homeowner can’t get both Senior Exemption and Preservation!**
Appeals

• Informal Appeal to County Assessor
• Board of Equalization
• **State Tax Commission (hearing officer, full Commission)**
• County Circuit Court
Missouri Summary

• Classification System

• Appeals to Tax Commission

• St. Louis Counties
New Mexico and Oklahoma

- 33 County Assessors (Two term limit)
- Fractional Assessment*
- Fair Market Value**

- 77 County Assessors
- Fractional Assessment
- Fair Market Value
## New Mexico Tax Calculation

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New Mexico has state millage.
Agricultural Property

• Valued on productivity value

• Application required

• Roll-back tax

• Tractors and equipment exempt
New Mexico Summary

• Higher Assessment Percentage
• No homestead (Homeowner Credit)
• Fair Market Previous Year
Texas and Oklahoma

- 254 Counties (District Appraisers)
- 100% Value
- Thinks they have a football team

- 77 County Assessors
- Fractional
- Has a football team.
Appraisal District System

• Chief Appraiser (non-elected)
• Appraisal Review Board (citizen board)
• Appraisal District Board of Directors
• Schools, Cities, Counties make up Board of Directors
Texas Appraisal Districts

• Before 1979 multiple taxing authorities

• Different valuation from City, County, School, etc

• Different bills on same property
Texas Ad Valorem

- Produces about $30 billion ($20) compared to $2.2 billion
- Schools—59% of property tax
- 42% of public school budget from ad valorem!
Texas is 100% Value State

- Property Value is based on 100% value
- Tax Rate is based on $ per $100 value
- Homestead Exemption
- Exemption for 65/disabled
# Texas Tax Calculation

<table>
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<td>$85,000</td>
<td>$100,000</td>
</tr>
<tr>
<td>X .01</td>
<td>800</td>
<td>850</td>
<td>1000</td>
</tr>
<tr>
<td>Tax rate</td>
<td>.638</td>
<td>1.4386</td>
<td>.556596</td>
</tr>
<tr>
<td>$2,289.81</td>
<td>$510.40</td>
<td>$1,222.18</td>
<td>$556.60</td>
</tr>
</tbody>
</table>
# Texas Tax Calculation

<table>
<thead>
<tr>
<th>Senior/Hstd</th>
<th>City</th>
<th>School</th>
<th>County</th>
</tr>
</thead>
<tbody>
<tr>
<td>Market</td>
<td>$100,000</td>
<td>$100,000</td>
<td>$100,000</td>
</tr>
<tr>
<td>-Exempt</td>
<td>$60,000</td>
<td>$25,000</td>
<td>$50,000</td>
</tr>
<tr>
<td>Taxable</td>
<td>$40,000</td>
<td>$75,000</td>
<td>$50,000</td>
</tr>
<tr>
<td>X .01</td>
<td>400</td>
<td>750</td>
<td>500</td>
</tr>
<tr>
<td>Tax rate</td>
<td>.638</td>
<td>1.4386</td>
<td>.556596</td>
</tr>
<tr>
<td><strong>$1,612.45</strong></td>
<td><strong>$255.20</strong></td>
<td><strong>$1,078.95</strong></td>
<td><strong>$278.30</strong></td>
</tr>
</tbody>
</table>
Texas Agriculture

- Use Value Productivity
- Cap Rates 10% Agr and 9.86% Timber
- Typical income less expenses
Texas Summary

- They’re Texas and we’re not.
- Appointed District Appraisers
- Complex Exemptions
- 100% Value
Our Unusual Neighbors

The Top Five Ad Valorem Features:

Weird or Brilliant
Colorado’s Tax Work Off

- 60 Years or Older
- Or Disability
- Work off taxes by temporary job
- $7.02 per hour up to $702.
- Must be homeowner
Missouri’s Taxpayer Advocate

- Property Owner Advocate Service
- Suggest appeal strategy
- Organize your evidence
- Accompany you to hearings

• Disclaimer: Can’t represent you before Board.
Harris County isettle

- On-Line Appeals
- County reviews property
- Change made or scheduled for Appeal.
Missouri’s Appeals Process

• Informal to County Assessor
• Appeal to County Board
• Appeal to State Tax Commission
• Appeal to Full Commission
• Circuit Court
Kansas Classification System

- Kansas Classification System

- Different assessment percentages for all classes of property

- More assessment percentages than any other neighbor.
Texas Homestead Exemption

- Homestead Exemption from City
  (Set by % limit)
- Homestead Exemption from School
  (Set by state: $15,000)

- Homestead Exemption from County
  (Set by County within limit)
Thank You.
The End