

ATASCOSA COUNTY JUDGES REPORT

As I said last week in this column, I ask the question, “Why should the value of real estate around a school have anything to do with the money available for the schools’ operation?”

I have researched property tax and have found that it came from an era when a “tax” was required to vote. It was also called by the English a “community” or “council” tax. It later became a voting tax which the US 24th Amendment abolished. As it became a “Council” tax in England in the 1700s, property tax was used as a way to fund local governments. This philosophy spilled over into the United States. Property tax became a way, which most states permitted, to fund local governments in America during the 1800s. As public education became an absolute necessity, the Texas State Constitution (which still governs us) allowed for the State to be responsible for the funding of Texas Schools. Until around 1960 the state funded approximately 80%+ of local schools in Texas and property tax was used for cities and counties. Property tax grew in use for Schools to fund buildings and property. Until the Peveto bill in 1979 that assessment on property tax was done by locally elected officials. Appraisal Districts were formed and the valuation was taken out of the hands of local officials. The state decided that for some reason, human beings could accurately “set” (“guess”) at the value of a piece of property. Real estate appraisers (professional and certified) may have thought this was possible. But in practice, with billions of acres in 254 counties appraisal districts could not afford professional appraisers and settled for trained individuals who mostly just had time to do “drive by” appraisals and area assessments. This system, I submit is highly subjective and flawed from the beginning. I do and have for years argued that no one can truly know the value of a piece of property except when it sells.

Then starting in 1980 the state began steadily reducing its share of school finance and has used the appraisal system to fill the gap with increased valuations. As I said previously, thus began the great inequity in school property tax assessment. The state has steadily refused to admit the system is wrong, unfair and a failure. Since being ruled unconstitutional several times since its inception in 1979 the state tries to band-aid it every time instead of replacing it. The state legislature just wants to do the easy fix not the more difficult and right fix. I will talk more about the right fix in my next column.

Thanks for listening.

We want you to be proud of your County Government.