

# Property Taxes in Disaster Areas and During Droughts

## Temporary Exemption for Disaster Damage - Tax Code 11.35

When the governor declares a disaster area and a property is damaged by that disaster by at least 15% then the property can receive a temporary exemption of a portion of the appraised value of the property.

### To Qualify:

The property owner must apply for the temporary exemption no later than 105 days after the governor declares a disaster area.

### Procedure:

The chief appraiser determines if the property qualifies for the temporary exemption and assigns a damage assessment rating.

<b>Level</b>	<b>Damage Assessment</b>	<b>Damage Description</b>	<b>Exemption Percentage</b>
<b>I</b>	15% < 30%	Minimal, may continue to be used as intended	15%
<b>II</b>	30% < 60%	Nonstructural damage and waterline <18" above floor	30%
<b>III</b>	60% < 100%	Significant structural damage and waterline 18"+ above floor	60%
<b>IV</b>	100%	Total loss; repair is not feasible	100%

The temporary disaster area exemption expires on Jan. 1 of the 1<sup>st</sup> tax year in which the property is reappraised. Also, the Residence Homestead Exemption may continue on the property even when the residence is rendered uninhabitable. The owner may not establish a different principal residence and must intend to return and occupy the structures as the owner's principal residence. Active construction must begin no later than 1 year after the owner ceases to occupy the former residential structure. The continuation cannot be for more than 2 years.

For more information contact the Deaf Smith County Appraisal District at 806-364-0625 or contact the Texas Comptroller