

RESOLUTION

THE STATE OF TEXAS §

COUNTY OF ORANGE §

WHEREAS, the West Orange Cove Consolidated Independent School District wishes to defray its costs of collection, as authorized by TEX. TAX CODE § 33.11, that it incurs under a contract with a private law firm for collection of delinquent property taxes, such contract having been entered on its behalf by Orange County pursuant to TEX. TAX CODE § 6.30;

WHEREAS, under said Section 33.11, the governing body of the West Orange Cove Consolidated Independent School District is empowered to authorize the addition of a collection penalty in an amount that does not exceed the amount of the compensation specified in the contract with the private law firm;

NOW, THEREFORE,

BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE WEST ORANGE COVE CONSOLIDATED INDEPENDENT SCHOOL DISTRICT, SITTING AS THE GOVERNING BODY OF SAID WEST ORANGE COVE CONSOLIDATED INDEPENDENT SCHOOL DISTRICT THAT:

Section 1: THE RECITALS SET FORTH IN THIS RESOLUTION ARE TRUE AND CORRECT.

Section 2: AN ADDITIONAL PENALTY ON DELINQUENT PERSONAL PROPERTY TAXES FOR TAX YEARS 2011 AND SUBSEQUENT YEARS IS HEREBY AUTHORIZED AND IMPOSED, AS PROVIDED BY SECTION 33.11, TEXAS TAX CODE, IN THE AMOUNT OF 15% OF THE DELINQUENT TAX, PENALTY AND INTEREST IF THE TAX BECOMES DELINQUENT ON FEBRUARY 1 OF A YEAR AND REMAINS DELINQUENT ON THE 60TH DAY THEREAFTER.

PASSED, APPROVED and ADOPTED this ____ day of _____, 20_____.

THE WEST ORANGE COVE CONSOLIDATED INDEPENDENT
SCHOOL DISTRICT

BY: _____
President Board of Trustees

ATTEST:

Board Secretary



**LYNDA GUNSTREAM, RTA
ORANGE COUNTY
TAX ASSESSOR-COLLECTOR
P. O. BOX 1568
ORANGE, TEXAS 77631-1568
Email: lgunstream@co.orange.tx.us**

(409) 882-7971
(409) 769-0064

Fax
(409) 882-7912

November 1, 2011

Mr. James Colbert, Superintendent
West Orange-Cove Consolidated Independent School District
P O Box 1107
Orange, TX 77631-1107

RE: Early Business Personal Property Turnover

Dear Superintendent Colbert:

BACKGROUND

Texas law provides that delinquent property taxes are normally turned over to our delinquent tax law firm on July 1. It is at that point that the law firm begins their efforts to collect those delinquent taxes. The Texas Legislature has provided an opportunity to turn over the collection of delinquent business personal property taxes to our law firm on April 1st. This early turnover is an additional collection tool that with my support the County Commissioners recently authorized. Because the statute requires each taxing jurisdiction to consider authorizing this early turn over I am asking you and your jurisdiction to consider adopting this early turn over as well.

ADVANTAGES TO EARLY TURN OVER

I believe that the early turn over statute is beneficial for many reasons:

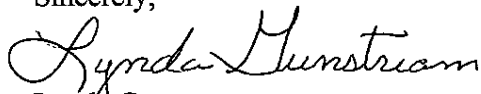
- (1) Early Turn Over speeds up the collection process by three (3) months. Instead of having to wait until July 1st to initiate collection efforts our law firm can do so as early as April 1st. This should increase the revenue stream to your jurisdiction for those months.
- (2) Early Turn over provides an excellent opportunity to collect delinquent tax revenue before it is gone. Business personal property – because of its mobile, perishable, and transient nature – is often very difficult to collect. Timeliness is critical to the collection process and early turn over makes collectibility much more likely.
- (3) Early Turn Over is Cost Free. There is no cost to your jurisdiction for exercising this option. By adopting the proposed resolution 100% of any fee that might be incurred is passed on to the delinquent property owner. The property owner can avoid this fee simply by paying their taxes timely.

Mr. James Colbert, Superintendent
West Orange-Cove Consolidated Independent School District
November 1, 2011
Page 2

STEPS TO TAKE IN EXERCISING EARLY TURN OVER

In order to implement the Early Turn Over provision your jurisdiction simply needs to adopt the enclosed resolution at one of your upcoming meetings. No additional steps are required. I would appreciate your support in adding this collection tool to our options for collecting delinquent taxes within your jurisdiction. Please do not hesitate to contact me should there be any questions. Additionally, an attorney with our delinquent tax law firm – Steve Bird - is also available to visit with you and / or your Board should there be specific questions about this. Thank you for your continued support in helping us to do the best possible job in collecting your taxes.

Sincerely,



Lynda Gunstream
Tax Assessor-Collector, Orange County

With Enclosures