

# TOWN OF HORIZON CITY

ORDINANCE NO. \_\_\_\_\_

## AN ORDINANCE APPROVING A 100% EXEMPTION FROM AD VALOREM PROPERTY TAXES FOR QUALIFYING CHILD-CARE FACILITY PROPERTIES LOCATED WITHIN THE TOWN OF HORIZON CITY, ESTABLISHING AN EFFECTIVE DATE AND SEVERABILITY CLAUSE.

**WHEREAS**, Texas Tax Code Section 11.36, as added by S.B. 1145 of the 88th Texas Legislature regular session (2023), authorizes an exemption from ad valorem (property) taxes on all or part of the appraised value of real property, or a portion thereof, operating as a qualifying child-care facility; and

**WHEREAS**, the City Council of the Town of Horizon City has determined that an exemption of 100% of ad valorem taxes on all of a portion of real property used to operate a qualifying child-care facility is in the best interest of the public and will stimulate the availability of affordable childcare public.

### **NOW, THEREFORE, BE IT ADOPTED BY COUNCIL AS FOLLOWS:**

1. **Exemption.** Council adopts an exemption, as authorized by Texas Tax Code Section 11.36, entitling qualifying persons to an exemption from taxation by the City of 100 percent of the appraised value of:
  - (A) the real property the person owns and operates as a qualifying child-care facility; or
  - (B) the portion of the real property that the person owns and leases to a person who uses the property to operate a qualifying child-care facility.
2. **Exclusion.** Pursuant to Texas Tax Code Section 11.36(g), a person cannot claim the child-care facility exemption on property they own and lease to another to operate a qualifying child-care facility if the person also claims a Texas Tax Code Section 11.13 residence homestead exemption on the property or leases any part of the property to another for use as a principal residence.
3. **Effective date.** The exemption adopted by this ordinance applies to the tax year beginning on January 1, 2025.

**4. Severability.** If any part of this ordinance shall be deemed to be unenforceable for any reason, the remainder of this ordinance shall be interpreted as if that section had not been included and the remainder of the ordinance shall remain in effect.

**PASSED APPROVED AND EFFECTIVE THE \_\_\_\_ DAY OF SEPTEMBER 2024.**

**TOWN OF HORIZON CITY**

**By: \_\_\_\_\_**  
**Andres Renteria, Mayor**

**ATTEST:**

**By: \_\_\_\_\_**  
**Elvia Schuller, City Clerk**

**APPROVED AS TO FORM:**

**By: \_\_\_\_\_**  
**Sylvia Borunda Firth**  
**Assistant City Attorney**