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Hays County Commissioners Court Approves 2017 Tax Ceiling for Age 65-plus and Disabled Residents

Hays County Courthouse, San Marcos, TX – Beginning in 2017, taxpayers in Hays County who are 65 years old or older, or who are disabled, will have the benefit of having their County-only taxes capped for their homestead.

The Commissioners Court's action Tuesday applies only to taxes levied by Hays County government and does not include taxes levied by cities, school districts, emergency services and special districts, etc. In many cases, those taxes make up the bulk of each resident's annual taxes.

"I think our County Commissioners Court and previous Courts truly understand and want to continue to do all we can to minimize the impact of taxes on all our citizens," Precinct 1 Commissioner Debbie Gonzales Ingalsbe said, pointing out that the recent tax rate approved by the Commissioners Court for 2017 is lower than 20 years ago.

The ceiling is permanent and cannot be revoked by future Commissioners Courts; however, if improvements such as adding a room or swimming pool are made to a homestead residence, the tax could increase.

"I agree with the concept of what we're doing, but it gives me pause that we can't revoke it. Our older population may grow due to our medical facilities," Precinct 2 Commissioner Mark Jones, who voted against the measure "reluctantly," citing concerns that young families may have to pick up more of a tax burden.

"You don't have the flexibility of income you had when you were younger," Precinct 4 Commissioner Ray Whisenant said. Those who receive the exemption would have some stability for their financial planning, he said.

If a person who qualifies for the exemption sells his or her homestead and purchases another in the county, he or she can receive a tax ceiling certificate for the new homestead. If the age 65 or older homeowner dies, the surviving spouse may continue to receive the local option exemption if the surviving spouse is age 55 or older at the time of death, lives in and owns the home and applies for the exemption, and does not remarry.

"This will benefit the most people and keep our senior citizens and disabled citizens from bearing the full burden of taxation," County Judge Bert Cobb, M.D., said.

“It’s one of the only tools we have that we can use to put a permanent restriction on local government taxes,” Precinct 3 Commissioner Will Conley. He went on to state that “It seems like the right thing to do ... we want to give retirees and disabled a sense of certainty and stabilization at that stage of their lives.”

A disabled person must meet the definition of disabled for the purpose of receiving disability insurance benefits under the Federal Old-Age, Survivors and Disability Insurance Act. A person who qualifies as both age 65 or older and disabled does not qualify for both, but must choose which exemption to claim.

Hays County Tax Assessor-Collector Luanne Caraway reminds persons that there is no need to pay any company to apply for your tax ceiling, it is easily taken care of free of charge by filling out a property tax exemption form which should be filed with the Hays Central Appraisal District, www.hayscad.com or 512-268-2522. The Texas Constitution, Article 8, Section 1-b(h) gives taxing entities the authority to offer the exemption.

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