

BILL ANALYSIS

H.B. 408
By: Miller
Civil Practices
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Currently, Chapter 75 of the Civil Practice and Remedies Code provides liability protection to landowners from those who use the land for recreational purposes. The current statute places a cap on the amount of compensation that a landowner may receive for use of the land and still be protected. The market for some hunting leases is such that landowners often receive more than the allowed compensation and thus could be liable for any action on that property.

House Bill 408 increases the cap to provide liability protection for landowners.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

Amends Section 75.003(c), Civil Practice and Remedies Code, to allow liability protection to apply to a landowner whose total charges collected the previous calendar year are not more than 20 times the total amount of ad valorem taxes imposed on the premises for the previous calendar year. The bill deletes the tier bracket that set one cap for agricultural land taxes and another cap for taxes on all other land.

EFFECTIVE DATE

September 1, 2003