

BILL ANALYSIS

H.B. 3607
By: Hilderbran
Local Government Ways and Means
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Land can be used for wildlife management to qualify for ad valorem taxation as open-space land. Some wildlife management plans used to qualify for open-space valuation include, as part of their qualifying plan, hunting as population control of game and predator animals. Some landowners use hunting leases as a means to effectuate this portion of their qualifying wildlife management plan. It is a trend in some states for appraisal districts to put high valuations on hunting leases and negate the open-space valuation, thereby making it more difficult for landowners to maintain open-space land.

H.B. 3607 would provide that the value of hunting leases for property that includes hunting as part of the wildlife management plan, which is used and recorded to qualify the property for open-space valuation, not be included in the calculation of the “net to land” for taxation purpose.

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

SECTION 1. H.B. 3607 amends section 23.51(4) of the Tax Code to provide that the “net of land” definition does not include the value of a hunting lease on property that includes hunting in its wildlife management plan under Section 23.521 of the Tax Code

SECTION 2. Effective date January 1, 2004 and applies only to appraisals of land for tax purposes for a tax year beginning on or after that date.

EFFECTIVE DATE

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