

## **BILL ANALYSIS**

S.B. 1364  
By: Staples  
Local Government Ways and Means  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Currently, property under agriculture exemption has never been subject to a rollback tax on specific amounts of land claimed as part of the owner's resident homestead. There have always been provisions to exclude rollback on portions of land owned and used by a religious organization. As proposed, S.B. 1364 provides the same exclusions to the rollback tax to ensure that all open-space land, whether agricultural or timber, is treated in an equal and uniform manner.

### **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. Amends Section 23.76, Tax Code, by adding Subsections (h)-(k), as follows:

- (h) Provides that the use of land does not change for the purposes of Subsection (a) solely because the owner of the land claims it as part of the owner's residence homestead for purposes of Section 11.13.
- (i) Provides the sanctions provided by Subsection (a) do not apply to land owned by an organization that qualifies as a religious organization under Section 11.20(c) if the organization converts the land to a use for which the land is eligible for an exemption under Section 11.20 within five years.
- (j) Provides that the sanctions provided by Subsection (a) do not apply to a change in the use of land if certain conditions are met.
- (k) Defines "cemetery," "cemetery organization," and "cemetery purpose."

SECTION 2.

- (a) Effective date: September 1, 2003.
- (b) Makes application of this Act prospective.

### **EFFECTIVE DATE**

September 1, 2003.