

Amend CSHB 2833 (First Printing) by inserting the following appropriately-numbered SECTION and renumbering subsequent SECTIONS accordingly:

"SECTION____. Section 2007.024, Government Code is amended by amending Subsection (b) and adding Subsection (b-1) to read as follows:

(b) The judgment or final decision or order shall include a fact finding that determines, in accordance with Subsection (b-1), the monetary damages suffered by the private real property owner as a result of the taking. The amount of damages is determined from the date of the taking.

(b-1) If, on the date of the taking, the private real property is designated for and appraised at agricultural use under Chapter 23, Tax Code, the fact finding must deduct from the monetary damages suffered by the private real property owner as a result of the taking an amount equal to the difference of:

(1) the amount of taxes the owner paid based on the agricultural use appraisal of the private real property; and

(2) the amount of taxes the owner would have paid if the private real property has been appraised at its current market value.

The fact finding shall perform this calculation separately for each of the five calendar years prior to the date of the taking for which the property was appraised for agricultural use."