

Amend HB 3630 (Senate committee printing) by adding the following SECTION to the bill, appropriately numbered, and renumbering existing SECTIONS of the bill accordingly:

SECTION \_\_. Section 23.42, Tax Code, is amended by amending Subsection (a) and adding Subsection (a-1) to read as follows:

(a) Except as provided by Subsection (a-1), an ~~[An]~~ individual is entitled to have land he owns designated for agricultural use if, on January 1:

(1) the land has been devoted exclusively to or developed continuously for agriculture for the three years preceding the current year;

(2) the individual ~~[he]~~ is using and intends to use the land for agriculture as an occupation or a business venture for profit during the current year; and

(3) agriculture is the individual's ~~[his]~~ primary occupation and primary source of income.

(a-1) On or after January 1, 2008, an individual is not entitled to have land designated for agricultural use if the land secures a home equity loan described by Section 50(a)(6), Article XVI, Texas Constitution.