

By: Coleman

H.B. No. 3383

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the eligibility of land to be appraised as open-space
3 land for ad valorem tax purposes.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Section 23.56, Tax Code, is amended to read as
6 follows:

7 Sec. 23.56. LAND INELIGIBLE FOR APPRAISAL AS OPEN-SPACE
8 LAND. Land is not eligible for appraisal as provided by this
9 subchapter if:

10 (1) the land is located inside the corporate limits of
11 an incorporated city or town, unless:

12 (A) the city or town is not providing the land
13 with governmental and proprietary services substantially
14 equivalent in standard and scope to those services it provides in
15 other parts of the city or town with similar topography, land
16 utilization, and population density; or

17 (B) the land has been devoted principally to
18 agricultural use continuously for the preceding five years;

19 (2) the land is owned by an individual who is a
20 nonresident alien or by a foreign government if that individual or
21 government is required by federal law or by rule adopted pursuant to
22 federal law to register his ownership or acquisition of that
23 property; ~~[or]~~

24 (3) the land is owned by a corporation, partnership,

1 trust, or other legal entity if the entity is required by federal
2 law or by rule adopted pursuant to federal law to register its
3 ownership or acquisition of that land and a nonresident alien or a
4 foreign government or any combination of nonresident aliens and
5 foreign governments own a majority interest in the entity; or

6 (4) the land is located inside the corporate limits of
7 an incorporated city or town and is owned by a corporation,
8 partnership, trust, or other legal entity that is not engaged
9 principally in agricultural production.

10 SECTION 2. This Act applies only to the appraisal of land
11 for ad valorem tax purposes for a tax year that begins on or after
12 the effective date of this Act.

13 SECTION 3. This Act takes effect January 1, 2010.