By:  Springer (Senate Sponsor - Nichols) H.B. No. 639

(In the Senate - Received from the House May 6, 2019; May 6, 2019, read first time and referred to Committee on Property Tax; May 13, 2019, reported favorably by the following vote: Yeas 5, Nays 0; May 13, 2019, sent to printer.)

COMMITTEE VOTE

               Yea Nay Absent  PNV

Bettencourt     X

Paxton          X

Creighton       X

Hancock         X

Hinojosa        X

A BILL TO BE ENTITLED

AN ACT

relating to the eligibility of land used as an ecological laboratory for appraisal for ad valorem tax purposes as qualified open-space land.

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

SECTION 1.  Section 23.51(1), Tax Code, is amended to read as follows:

(1)  "Qualified open-space land" means land that is currently devoted principally to agricultural use to the degree of intensity generally accepted in the area and that has been devoted principally to agricultural use or to production of timber or forest products for five of the preceding seven years or land that is used principally as an ecological laboratory by a public or private college or university and that has been used principally in that manner by a college or university for five of the preceding seven years. Qualified open-space land includes all appurtenances to the land. For the purposes of this subdivision, appurtenances to the land means private roads, dams, reservoirs, water wells, canals, ditches, terraces, and other reshapings of the soil, fences, and riparian water rights. Notwithstanding the other provisions of this subdivision, land that is currently devoted principally to wildlife management as defined by Subdivision (7)(B) or (C) to the degree of intensity generally accepted in the area qualifies for appraisal as qualified open-space land under this subchapter regardless of the manner in which the land was used in any preceding year.

SECTION 2.  (a) Except as provided by Subsection (b) of this section, the change in law made by this Act applies beginning with the tax year that begins January 1, 2021.

(b)  This subsection applies only to land that first qualified for appraisal under Subchapter D, Chapter 23, Tax Code, on the basis of its use as an ecological laboratory in the 2014, 2015, 2016, 2017, 2018, 2019, or 2020 tax year. The change in law made by this Act applies to land to which this subsection applies beginning with the tax year that begins January 1, 2027. For the 2021, 2022, 2023, 2024, 2025, and 2026 tax years, the qualification of land to which this subsection applies for appraisal under Subchapter D, Chapter 23, Tax Code, on the basis of its use as an ecological laboratory is governed by the law as it existed immediately before the effective date of this Act, and the former law is continued in effect for that purpose.

SECTION 3.  This Act takes effect January 1, 2021.

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