

By: Goodwin

H.B. No. 2996

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the eligibility of land located in a residential
3 subdivision for appraisal for ad valorem tax purposes as qualified
4 open-space land.

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

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

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

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

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

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

20 (C) the land:
21 (i) has been devoted principally to
22 agricultural use or to production of timber or forest products
23 continuously for the preceding five years; and

24 (ii) is used for wildlife management;

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

6 (3) the land is owned by a corporation, partnership,
7 trust, or other legal entity if the entity is required by federal
8 law or by rule adopted pursuant to federal law to register its
9 ownership or acquisition of that land and a nonresident alien or a
10 foreign government or any combination of nonresident aliens and
11 foreign governments own a majority interest in the entity; or

12 (4) the land is located in a residential subdivision,
13 as that term is defined in Section 209.002, Property Code.

14 SECTION 2. This Act applies only to the appraisal of land
15 for an ad valorem tax year beginning on or after the effective date
16 of this Act.

17 SECTION 3. This Act takes effect January 1, 2020.