

By: White

H.B. No. 305

A BILL TO BE ENTITLED

AN ACT

relating to the ownership of agricultural land by nonresident
aliens or foreign entities.

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

SECTION 1. Title 1, Agriculture Code, is amended by adding
Chapter 3 to read as follows:

CHAPTER 3. OWNERSHIP OF AGRICULTURAL LAND

Sec. 3.001. DEFINITIONS. In this chapter:

(1) "Agricultural land" means land that qualifies for
tax appraisal under Subchapter C or D, Chapter 23, Tax Code.

(2) "Foreign" means created or organized in a country
other than the United States or under the law of a country other
than the United States.

(3) "Nonresident alien" means a citizen of a country
other than the United States who is not a resident of this state.

Sec. 3.002. NONRESIDENT ALIEN OR FOREIGN ACQUISITION OF
AGRICULTURAL LAND PROHIBITED. Notwithstanding any other law, a
nonresident alien, foreign business, or foreign government, or an
agent, trustee, or fiduciary of a nonresident alien, foreign
business, or foreign government, may not purchase or otherwise
acquire title to agricultural land in this state.

Sec. 3.003. ANNUAL REPORT OF NONRESIDENT ALIEN OR FOREIGN
OWNERSHIP OF AGRICULTURAL LAND. (a) Not later than January 1 of
each year, the department shall submit to the governor, lieutenant

1 governor, and speaker of the house of representatives a report that
2 identifies all agricultural land in this state owned by a
3 nonresident alien, foreign business, or foreign government, or an
4 agent, trustee, or fiduciary of a nonresident alien, foreign
5 business, or foreign government.

6 (b) The department shall post and maintain on the
7 department's Internet website the most recent report required by
8 Subsection (a).

9 SECTION 2. Section 5.005, Property Code, is amended to read
10 as follows:

11 Sec. 5.005. ALIENS. Except as provided by Chapter 3,
12 Agriculture Code, an [An] alien has the same real and personal
13 property rights as a United States citizen.

14 SECTION 3. This Act takes effect on the 91st day after the
15 last day of the legislative session.