

By: Schwertner, et al.

S.B. No. 725

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the qualification of land for appraisal for ad valorem
3 tax purposes as agricultural land and the liability for the
4 additional tax imposed on such land if the use of the land changes
5 as a result of a condemnation.

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

7 SECTION 1. Section 23.46, Tax Code, is amended by adding
8 Subsections (e-1) and (g) to read as follows:

9 (e-1) A portion of a parcel of land is not diverted to
10 nonagricultural use for purposes of Subsection (c) because the
11 portion is subject to a right-of-way that is less than 200 feet wide
12 and that was taken by condemnation if the remainder of the parcel of
13 land qualifies for appraisal under this subchapter.

14 (g) If the additional taxes are due because the land has
15 been diverted to a nonagricultural use as a result of a
16 condemnation, the additional taxes and interest imposed by this
17 section are the personal obligation of the condemning entity and
18 not the property owner from whom the property was taken.

19 SECTION 2. (a) Section 23.46(e-1), Tax Code, as added by
20 this Act, applies only to the appraisal of land for ad valorem tax
21 purposes for a tax year that begins on or after the effective date
22 of this Act.

23 (b) Section 23.46(g), Tax Code, as added by this Act,
24 applies only to a change of use of land that occurs on or after the

1 effective date of this Act.

2 SECTION 3. This Act takes effect September 1, 2021.