

By: Harris, Cody

H.B. No. 93

A BILL TO BE ENTITLED

AN ACT

relating to certain property interests of a foreign government in agricultural land.

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. PROPERTY INTEREST OF FOREIGN GOVERNMENT IN 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 government" does not include:

(A) a federally recognized Indian tribe, as listed by the United States secretary of the interior under 25 U.S.C. Section 5131; or

(B) a government unit or enterprise of a federally recognized Indian tribe described by Paragraph (A).

Sec. 3.002. CERTAIN PROPERTY INTERESTS OF FOREIGN GOVERNMENT IN AGRICULTURAL LAND PROHIBITED. (a) Notwithstanding any other law, and except as provided by Section 3.003, the following may not lease, purchase, or otherwise acquire title to or hold any other interest in agricultural land in this state:

(1) a foreign government;

(2) a company or other entity that is directly or

1 indirectly held or controlled by a foreign government; or

2 (3) a company or other entity that is owned by or the
3 majority of stock or other ownership interest of which is held or
4 controlled by a company or entity described by Subdivision (2).

5 (b) A transfer of a property interest in agricultural land
6 in violation of this section is void.

7 Sec. 3.003. PROPERTY INTEREST HELD ON AUGUST 31, 2023. (a)
8 Subject to Subsection (b), an entity described by Section 3.002 may
9 hold a property interest in agricultural land if the interest was
10 held by the entity on August 31, 2023.

11 (b) A property interest in agricultural land held by an
12 entity described by Section 3.002 that terminates on or after
13 September 1, 2023, may not be renewed by the entity.

14 SECTION 2. Section 5.005, Property Code, is amended to read
15 as follows:

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

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