

- SUBJECT:** Adding outdoor education support as qualified open-space land use
- COMMITTEE:** Ways and Means — favorable, without amendment
- VOTE:** 9 ayes — Hilderbran, Otto, Christian, Gonzalez, Lyne, Murphy, Ritter, Villarreal, Woolley
- 0 nays
- 1 present not voting — Elkins
- 1 absent — Martinez Fischer
- WITNESSES:** For — Marida Favia del Core Borrromeo, Exotic Wildlife Association; Alan Warren; (*Registered, but did not testify:* Kirby Brown, Texas Wildlife Association; Ken Kramer, Lone Star Chapter, Sierra Club; Matt Phillips, The Nature Conservancy of Texas)
- Against — None
- On — Linda Campbell, Texas Parks and Wildlife Department
- BACKGROUND:** Under Tax Code, sec. 23.51, land that is currently devoted principally to wildlife management in certain circumstances qualifies for appraisal as qualified open-space land. The property must meet at least three out of seven wildlife management practices to maintain the qualified open-space designation:
- habitat control;
 - erosion control;
 - predator control;
 - providing supplemental supplies of water;
 - providing supplemental supplies of food;
 - providing shelters; and
 - making of census counts to determine wildlife population.
- DIGEST:** HB 1384 would amend Tax Code, sec. 23.51, to include, “supporting outdoor education,” to the set of practices under the definition of “wildlife management.”

The bill would take effect January 1, 2012, and would apply to a tax year that began on or after the effective date.

**SUPPORTERS
SAY:**

HB 1384 would give landowners engaged in wildlife management practices an economic incentive to partner with educational institutions or other entities to provide outdoor education. This would benefit both landowners and students in the state. Texas has a great resource in its land, and we would not want it to become underutilized or overly developed. This bill would encourage landowners to get involved in educating people about wildlife management and conservation practices.

HB 1384 would not decrease the importance of the existing wildlife practices, but simply would add another important component to the options a landowner could utilize under a wildlife management plan.

Under the bill, the additional practice of “supporting outdoor education” would be stated simply because the Texas Parks and Wildlife Department (TPWD) would be charged with determining the rules to define sufficient qualifications to meet the purposes of the statute. The content of an education program and the necessary documentation for such a program would be handled by TPWD. The department has stringent rules and regulations in place for other wildlife management practices, which are stated simply in current law, so the language for the outdoor education program would be appropriate.

Utilizing an educational component could assist with the implementation of other wildlife practices in a landowner’s wildlife management plan.

**OPPONENTS
SAY:**

This bill would dilute the importance of the existing seven wildlife management practices for obtaining the open-space land designation. Property owners already can use their land for outdoor education under a wildlife management plan if they meet three of the existing seven practices. HB 1384 would reduce the obligation of property owners to engage in three of the existing seven requirements, and would decrease the focus on wildlife management. Outdoor education is important for children and adults in Texas, but this bill would weaken the requirements for what would be required to manage wildlife under a wildlife management plan.

Under HB 1384, the open-space land designation could be exploited for tax purposes. The bill does not define what outdoor education would be.

HB 1384 is not needed to promote outdoor education because many nonprofits in the state already perform that function.

**OTHER
OPPONENTS
SAY:**

If outdoor education support is added as an option for landowners to qualify for the open-land space designation, the bill should require that a landowner meet at least four of the wildlife practices instead of three.