

BILL ANALYSIS

Senate Research Center
86R3628 JES-D

H.B. 3348
By: Guillen; Springer (Hinojosa)
Property Tax
4/29/2019
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

H.B. 967, which passed in the 80th legislative session, lays the foundation for this legislation. H.B. 967 provided a measure of financial relief to ranchers and other landowners whose agricultural-use or certain, qualified, open-space land must be placed under quarantine due to the infestation of fever ticks.

H.B. 3348 adds to the prior legislation by ensuring land owners can keep their agricultural exemption while undergoing quarantine for fever ticks. H.B. 3348 would ensure land owners do not have to get their land re-appraised after it has been quarantined due to fever ticks. This legislation eases the burden on land owners and streamlines the process of keeping their agricultural exemption.

H.B. 3348 amends current law relating to the eligibility of land on which the Texas Animal Health Commission has established a temporary quarantine for ticks for appraisal for ad valorem tax purposes as agricultural or open-space land.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter C, Chapter 23, Tax Code, by adding Section 23.426, as follows:

Sec. 23.426. TEMPORARY CESSATION OF AGRICULTURAL USE DUE TO QUARANTINE FOR TICKS. (a) Provides that the entitlement of an individual to have land the individual owns designated for agricultural use under this subchapter (Land Designated For Agricultural Use) does not end because the individual ceases exclusively or continuously using the land for agriculture as an occupation or a business venture for profit for the period prescribed by Subsection (b) if the land:

(1) is subject to a temporary quarantine established at any time during the tax year by the Texas Animal Health Commission (TAHC) for the purpose of regulating the handling of livestock and eradicating ticks or exposure to ticks under Chapter 167 (Tick Eradication), Agriculture Code; and

(2) otherwise continues to qualify for the designation under Section 23.42 (Eligibility).

(b) Provides that Subsection (a) applies to land eligible for appraisal under this subchapter only during the period that begins on the date the land is designated as a tick eradication area and that ends on the date the land is released from quarantine by TAHC.

(c) Requires the owner of land to which this section applies to, not later than the 30th day after the date the land is designated as a tick eradication area, notify in

writing the chief appraiser for each appraisal district in which the land is located that the land is located in a tick eradication area.

(d) Requires the owner of land to which this section applies to, not later than the 30th day after the date the land is released from quarantine by TAHC, notify in writing the chief appraiser for each appraisal district in which the land is located that the land has been released from quarantine by TAHC.

SECTION 2. Amends Subchapter D, Chapter 23, Tax Code, by adding Section 23.526, as follows:

Sec. 23.526. TEMPORARY CESSATION OF AGRICULTURAL USE DUE TO QUARANTINE FOR TICKS. (a) Provides that the eligibility of land for appraisal under this subchapter (Appraisal of Agricultural Land) does not end because the land ceases to be devoted principally to agricultural use to the degree of intensity generally accepted in the area for the period prescribed by Subsection (b) if the land:

(1) is subject to a temporary quarantine established at any time during the tax year by TAHC for the purpose of regulating the handling of livestock and eradicating ticks or exposure to ticks under Chapter 167, Agriculture Code;

(2) is appraised under this subchapter primarily on the basis of the livestock located in the area subject to quarantine in the tax year; and

(3) otherwise continues to qualify for appraisal under this subchapter.

(b) Provides that Subsection (a) applies to land eligible for appraisal under this subchapter only during the period that begins on the date the land is designated as a tick eradication area and that ends on the date the land is released from quarantine by TAHC.

(c) Requires the owner of land to which this section applies to, not later than the 30th day after the date the land is designated as a tick eradication area, notify in writing the chief appraiser for each appraisal district in which the land is located that the land is located in a tick eradication area.

(d) Requires the owner of land to which this section applies to, not later than the 30th day after the date the land is released from quarantine by TAHC, notify in writing the chief appraiser for each appraisal district in which the land is located that the land has been released from quarantine by TAHC.

SECTION 3. Provides that the change in law made by this Act does not affect an additional tax imposed as a result of a change of use of land appraised under Subchapter C or D, Chapter 23, Tax Code, that occurred before the effective date of this Act.

SECTION 4. Effective date: upon passage or September 1, 2019.