

BILL ANALYSIS

Senate Research Center
87R15925 TJB-D

H.B. 2428
By: Murr (Perry)
Local Government
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Concerns have been raised regarding the appraisal process of certain agricultural land in which chronic wasting disease (CWD) or other wildlife or livestock diseases and pests may be present. To manage CWD, the Texas Parks and Wildlife Department and the Texas Animal Health Commission designate CWD surveillance zones, a designation which typically has no set expiration. It has been suggested that these designations, or the presence of other diseases and pests, could have an adverse effect on the valuation of this land. H.B. 2428 seeks to remedy this situation by ensuring the chief appraiser takes into consideration the effect that these diseases or designations have on the value of the land.

H.B. 2428 amends current law relating to the calculation of net to land in the appraisal of open-space land for ad valorem tax purposes.

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 Section 23.51(4), Tax Code, as follows:

(4) Provides that in Subdivision (4) (relating to the definition of "net to land"), "wildlife or livestock disease or pest area" means an area designated by a state agency as an area in which a disease or pest that affects wildlife or livestock exists or may exist, including a chronic wasting disease containment or surveillance zone and an area subject to a quarantine authorized by Subtitle C (Control of Animal Diseases and Pests), Title 6 (Production, Processing, and Sale of Animal Products), Agriculture Code. Requires the chief appraiser, in calculating net to land of open-space land located in or adjacent to a wildlife or livestock disease or pest area, to take into consideration the effect that the presence of the applicable disease or pest or the designation of the area has on the net income from the land.

SECTION 2. Provides that the change in law made by this Act applies only to the appraisal of open-space land for a tax year that begins on or after the effective date of this Act.

SECTION 3. Effective date: January 1, 2022.