

BILL ANALYSIS

Senate Research Center

S.B. 1272
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Intergovernmental Relations
4/11/2001
Committee Report (Amended)

DIGEST AND PURPOSE

Currently, agriculture is defined as “the use of land to produce plant or animal products, including fish or poultry products, under natural conditions....” Large nurseries located in rural Texas supply commercial plant outlets throughout the United States, providing economic benefits in counties where they are located. These nurseries produce plant products in greenhouses that can be up to 10 acres in size. Even though such greenhouses are used to produce commercial plant products, the land on which the greenhouses are located is currently ineligible for an agricultural use determination. S.B. 1272 allows land located in a county with a population of 35,000 or less on which a greenhouse for growing wholesale florist items is located to be designated as agricultural use for ad valorem tax appraisal 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 Chapter 23C, Tax Code, by adding Section 23.425, as follows:

Sec. 23.425. ELIGIBILITY OF LAND USED FOR GROWING FLORIST ITEMS IN CERTAIN COUNTIES. (a) Provides that this section applies only to land: that is located in a county with a population of 35,000 or less; and on which a greenhouse for growing florist items solely for wholesale purposes is located.

(b) Entitles a person who owns land described by Subsection (a) to have the land designated for agricultural use under this subchapter if the land otherwise qualifies for the designation under Section 23.42 and the person who owns the land is not using it in conjunction with or contiguous to land being used to conduct retail sales of florist items. Provides that for purposes of Section 23.41, a greenhouse described by Subsection (a)(2) is an appurtenance to the land.

(c) Defines "florist item" and "greenhouse."

SECTION 2. Effective date: January 1, 2002.
Makes application of this Act prospective.

SUMMARY OF COMMITTEE CHANGES

Differs from the original by inserting the phrase “solely for wholesale purposes” in section 23.425(a) and the phrase “and the person who owns the land is not using in conjunction with or contiguous to land being used to conduct retail sales of florist items” in Section 23.425(b).