

BILL ANALYSIS

Senate Research Center
85R8027 SMT-F

S.B. 1209
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Finance
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Texas is facing serious problems in predator control, namely from feral hogs. Feral hogs, whose population is estimated to be in excess of 2.5 million, cost Texas landowners millions of dollars per year due to their destruction and impact on native species and vegetation. The problem has grown so bad, that there are now proposals to begin poisoning them.

One contributor to the feral hog problem is the subdividing of large tracts of land into smaller tracts that are no longer used for commercial agriculture and are more likely to be used for recreation, as a residence, or a vacation home. Due to a lack of predator control, these smaller properties become hog havens.

When a landowner converts their agriculture ad valorem tax exemption to a wildlife management exemption, they must meet at least three out of seven wildlife management activities to benefit indigenous species, one of which is predator control. Due to the difficulty and time commitment compared to many of the other qualified wildlife management activities, many landowners are choosing not to perform predator control or are doing so inadequately.

S.B. 1209 allows a landowner to meet the predator control requirement by joining a local predation management organization, as defined by Texas Parks and Wildlife that expends at least 70 percent of its funding either for predator control activities in that geographical region, or contributes funds to Texas Wildlife Services programs that conduct predator control.

This allowance in statute will result in an additional funding source for predator control, which will benefit not only indigenous species, but other landowners in the geographic region whether they have an agriculture or wildlife exemption or no exemption at all.

As proposed, S.B. 1209 amends current law relating to the eligibility of land for appraisal for ad valorem tax purposes as qualified open-space land on the basis of its use for wildlife management.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the Texas comptroller of public accounts in SECTION 2 (Section 23.521, Tax Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 23.51, Tax Code, by adding Subdivisions (9), (10), and (11), as follows:

(9) Defines "predator control" to include predation management activities conducted on a landowner's land by a local predation management organization (organization) or by Texas Wildlife Services (TWS) in cooperation with the organization. Requires the landowner to be a member in good standing of the organization and be current in the payment of the organization's membership dues, and allow the organization or TWS acting in cooperation with the organization reasonable access to the land to conduct the predation management activities.

(10) Defines "local predation management organization," to mean an organization that conducts predation management activities in a defined geographical region, and expends at least 70 percent of the organization's annual budget conducting predation management activities or making contributions to TWS.

(11) Defines "Texas Wildlife Services" to include any of the Texas A&M University (TAMU) AgriLife Extension Service Wildlife Services Program's cooperative partners as authorized by Chapter 825 (Predatory Animals and Animal Pests), Health and Safety Code, or any successor program having a substantially similar predator control purpose.

SECTION 2. Amends Section 23.521, Tax Code, by adding Subsections (e), (f), and (g), as follows:

(e) Requires the Texas Parks and Wildlife Department (TPWD), with the assistance of the TAMU AgriLife Extension Service, to develop a definition of "predation management activities" for purposes of Section 23.51.

(f) Requires TPWD, with the assistance of the TAMU AgriLife Extension Service, to develop a membership form and instructions for using the form to be issued by an organization to a landowner. Authorizes a landowner to present the form to a local appraisal office to prove membership in the organization. Requires the form to include a certification by the organization that the organization is an organization.

(g) Requires the Texas comptroller of public accounts by rule to adopt the definition described by Subsection (e) and membership form described by Subsection (f) and include them among the rules distributed to each appraisal district as provided by Subsection (a) (relating to requiring TWS with the assistance of the comptroller, to develop standards for determining whether land qualifies for appraisal and if it meets certain criteria to distribute certain standards to each appraisal district).

SECTION 3. Effective date: September 1, 2017.