



## HARDIN COUNTY APPRAISAL DISTRICT PRODUCTIVITY GUIDELINES

1. To qualify for an agricultural use or timber use, special valuation, a property must be **currently** devoted **principally** (the most important or primary use) to the **degree of intensity** that is typical to Hardin County.
2. Agricultural use is defined in the Texas Property Code as including the following:
  - Cultivating the soil.
  - Producing crops for human food, animal feed, or planting seed for the production of fibers.
  - Floriculture.
  - Viticulture.
  - Horticulture.
  - Raising or keeping livestock. Livestock includes meat or dairy cattle, horses, goats, swine, poultry, and sheep. **Land used primarily to train, show, or racehorses for recreation, or to keep or use horses in some other manner, which is not incidental to breeding or raising horses does not qualify.**
  - Raising exotic game for commercial use (hunting does not qualify).
  - Participation in a government program and normal crop rotation.
  - Wildlife management
  - Bee Keeping for pollination or production of human food.
3. Land must qualify on January 1 of the year of being applied for.
4. Property **must** have a history of agricultural use or timber use for any five of the last seven years.
5. The property must be devoted to agricultural use to the degree of intensity typical for Hardin County.
  - The degree of intensity test is used to help measure whether the land meet this requirement or if it is a “token” agricultural use for the purpose of obtaining tax relief.
  - The degree of intensity is determined by the Chief Appraiser after consulting with our Hardin County Agricultural Advisory Committee. This committee is made up of landowners from Hardin County and assists the Chief Appraiser in implementing guidelines recommended acreages and animal units necessary to separate “personal & hobby farming” from “commercial” use. A main determinant of Commercial

Production is PERFORMING or COMMITTING RESOURCES—some examples: planting, seeding, feeding, land prep, herbicide, pesticide, fencing, and fire breaks. Some examples of EVIDENCE can be federal income tax records, receipts of expenses, invoices, income from sales, pictures, or formal management plans.

- This test measures what the owner is putting into his agricultural enterprise in time, labor, equipment, management, and capital as compared to what is typical in the county.
  - According to the Texas Property Tax Code, agricultural property should be managed with the intent to produce income.
  - For a tract of land to qualify for productivity valuation, it must be substantial. Substantial is defined as a tract of land adequate in size to support a typically prudent operation. The agricultural Advisory Committee and the Chief Appraiser have established minimum usage guidelines typical for all major agricultural categories.
  - Variances in intensity will be considered on a case-by-case basis with supporting documentation of expenses, proof of income, receipts, and any other concerted efforts provided.
6. A property owner must file a valid application form. To be valid, the application must be on a form approved by the State Comptroller and provided by the appraisal district.
7. The deadline to file an application is before May 1, meaning the form must be postmarked or filed no later than midnight April 30. For good cause and only on the property owner's written request, the Chief Appraiser may extend the filing deadline for up to 60 days. The request must be made before the May 1 deadline.
8. Typical evidence of agricultural/timber use are as followed:
- Lease agreements.
  - Expenditure receipts (or cancelled checks).
  - Product or livestock sales receipts.
  - Photographs.
  - Membership in farm, ranch, or timber program or organizations/associations.
  - Documentation of timber sale activity.
  - **Documentation of the timber or ag questionnaire is mandatory**
9. Wildlife management is considered agricultural use under the Tax Code. The owner of land used for wildlife management must perform three (3) of the following seven activities:
- Habitat control (habitat management) means activity using land to create or promote environment that is beneficial to wildlife.
  - Erosion control means practices that attempt to reduce or control soil erosion.
  - Predator control means practices intended to manage the population of predators to benefit the target wildlife population.
  - Supplement water supplies means the owner actively provides water in addition to the natural resources.

- Shelter means the owner actively creates or maintains vegetation or artificial structures that provide shelter from weather, escape cover from enemies or nesting and breeding sites.
  - Census count means: Periodic surveys to determine the number and composition of target wildlife population and effectiveness of the management program.
  - Supplement food supplies means the owner supplies supplemental food in addition to the level naturally produced on the land.
10. Management of Wildlife will be subject to requested additional information and appraiser inspection of implemented management practices. Tracts under Wildlife management are required to file an Annual Report PWD-888-W7000
11. Change of use, change in the class of use, and change of ownership requires a new application. Failure to notify the appraisal district of a change in agricultural use subjects the property to a penalty.
12. Upon determination that the land has been diverted to a non-agricultural/timber use, the Chief Appraiser must send the owner written notice of the determination and a Rollback is triggered.
- A Rollback Tax will be imposed on 1-d-1 property when the owner changes the use of the land to something other than agricultural production. If only a portion of the land is changed to a non-agricultural use, then only the portion changed will receive the rollback.

What will trigger a rollback?

- Physical Change from agricultural to non-agricultural use.
- The physical act of subdividing property sale as non-qualifying tracts of land such as the cutting of roads or the insulation of utilities.
- The placing of restrictions that limit the use of non-agricultural activities resulting from the free will of the owner.

The Chief Appraiser will send a written notice of determination that a change of use has occurred. The owner has 30 days to file a protest on that determination. If the owner does not file a written protest of the determination or the Appraisal Review Board decides that a change of use has occurred, a tax bill will be sent that includes the amount of the rollback tax and interest that is due.

The rollback tax is due on the date the tax bill is mailed. It will become delinquent 20 days after the bill is mailed.

13. These guidelines are to be used as reasons for further investigation as to whether a property qualifies for a special valuation. Variations from these guidelines will be reviewed on a case-by-case basis.

## PRODUCTIVITY VALUATION GUIDELINES

Cost and expense information should be provided with application

<b>PASTURE</b>	NATIVE	15 ACRES REVISED 3/01/2022	Fenced on four sides with access to water. Maintain 1 animal unit per 5 acres with a minimum of 3 animal units (Animal Units: 1 cow; 1 brood mare; 5 goats= 1 animal unit / <b><u>ag questionnaire mandatory</u></b>
	IMPROVED	15 ACRES	Same as Native Except: 1 Animal Unit per three acres / <b><u>ag questionnaire mandatory</u></b>
<b>DRY CROP</b>	HAY PRODUCTION	5 ACRES REVISED 3/01/2022	Planted in row broadcast crop, not watered, that are grown for retail/wholesale or used for feed for livestock/ HAY PRODUCTION (3 Round Bales or 50 Square Bales per acre)/ <b><u>ag questionnaire mandatory</u></b>
<b>IRROGATED CROP</b>		5 ACRES REVISED 3/01/2022	Cultivated and planted to annual crops that are watered on a regular basis. Must be marketing for retail or wholesale. / <b><u>ag questionnaire mandatory</u></b>
<b>TIMBER</b>	PINE	10 ACRES REVISED 3/01/2022	<b>Effective Jan. 1, 2022 Timber Questionnaire is required</b> for all types of timber & is due by the same deadline as application.
	MIXED	10 ACRES	<b>Timber questionnaire required</b>
	HARDWOOD	10 ACRES	<b>Timber questionnaire required</b>
<b>TIMBER-SPECIAL*</b>	AMZ		10 YEAR TIMBER WITH A 50 SQ FT. Basal area. Management Plan <b>Timber</b>

			<b>questionnaire required</b>
	CWHZ		Must be endangered plant or animal. Management Plan / <b>Timber questionnaire required</b>
	SMZ		Intermittent or perennial stream, river, lake, or wetland. May be 50'-200' depending on slope management plan / <b>Timber questionnaire required</b>
	RMZ		Replant within 2 years. Management Plan detailing reforestation efforts. Appraised at 50% of value for 10 years <b>Timber questionnaire required</b>
	TRANSITION		Conversion from Ag to Timber. Same ag category for 15 years. Must be classified ag use for 5 years prior to conversion <b>Timber questionnaire required</b>
<b>DIVERSIFIED</b>	ORCHARDS	5 ACRES REVISED 3/01/2022	50 Trees per acre. Must be marketing produce for wholesale / <b>ag questionnaire mandatory</b>
	CHRISTMAS TREE	5 ACRES REVISED 3/01/2022	400 Trees per acre less than 10' tall shaped twice per year/ <b>ag questionnaire mandatory</b>
	FISH FARM	3 ACRES REVISED 3/01/2022	Man-made tanks with proof of stocking & sales receipts/ <b>ag questionnaire mandatory</b>
<b>WILDLIFE MANAGEMENT</b>		50 ACRES	Must have qualified for Ag the year prior to conversion. Wildlife Management plan required. Annual report required
<b>BEE KEEPING</b>	STATE GUIDELINES	No Less than 5 acres and no more than 20 acres REVISED 3/01/2022	Land raise or keep bees for pollination, or the production of human food, or other tangible products, having commercial value. Degree of intensity is 6

			hives on acres with 1 hive for every 2.5 acres: up to 20 acres. This would give the range of 6 to 12 hives for the minimum requirements. / <b><u>ag questionnaire mandatory</u></b>
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\*Timber-Special

AMZ- “Aesthetic Management Zone”- means timber land on which timber harvesting is restricted

CWHC- “Critical Wildlife Habitat Zone”- means timber land on which the timber harvesting is restricted so as to provide at least three (3) benefits for the protection of an animal or plant that is listed as endangered or threatened under the endangered species act of 1973.

SMZ- “Streamside Management Zone”- means timber land on which timber harvesting is restricted in accordance with a management plan to protect water quality; or preserve a waterway, including a lake, river, stream, or creek.

RMZ – “Reforestation Management Zone” – means timber land on which has been harvested and has been reforested, by planting or natural regeneration, only applies for 10 years then reverts to timber land special appraisal without the 50% reduction.

Revised 03/01/2022