



LANDOWNER COMPENSATION

2024



Back of Cover



December 9, 2024

The Honorable Greg Abbott, Governor

The Honorable Dan Patrick, Lieutenant Governor

The Honorable Dade Phelan, Speaker of the House

I am pleased to present the inaugural Landowner Compensation Program (LCP) Annual Report. The increasing impact of border crime has led to significant damage for agricultural landowners across Texas. In response, the Legislature established the LCP to directly address this issue, tasking the Office of the Attorney General with building and administering the program. The bill creating the LCP went into effect on September 1, 2023.

In just eight months, our office has successfully developed and launched the LCP by establishing administrative rules, designing program policies and procedures, creating an online application portal and management system, hiring and training dedicated staff, and launching the program's webpage and marketing materials.

Our outreach to promote the LCP has included partnerships with law enforcement agencies and county officials, along with attendance at four outreach events in FY2024, where staff engaged with over 1,000 participants.

Within the first four months of the fiscal year, the LCP received 45 applications, with 9 claims approved for compensation. These awards totaled \$25,003.62, providing critical support to landowners whose agricultural property sustained real damage.

We are excited to watch this program expand as more landowners become aware of this resource and receive the support they need to restore their land.

Sincerely,

A handwritten signature in black ink that reads "Ken Paxton". The signature is fluid and cursive, with the first letters of each word being capitalized and prominent.

Ken Paxton
Attorney General of Texas

PROGRAM ELIGIBILITY

To be eligible, the claimant must be the owner of agricultural land or an authorized agent. They can apply either as an individual or as a business, depending on how the property is owned. If an authorized agent applies, they must provide proof of authorization.

Lessees (those leasing the land) are not eligible but can submit an application on behalf of the landowner if authorized, with any payments going to the landowner.

The claimant or agent must provide proof of ownership, usually through the county appraisal district (CAD) property ID or AG/Timber number. If ownership can't be verified, the property deed must be provided.

Agricultural Land

The claimant must prove that the property is agricultural land by providing the associated CAD property ID or AG/Timber registration number. The AG/Timber number is issued by the Texas Comptroller when agricultural land qualifies for a tax exemption based on its use.

Real Property Damage

Eligible real property includes, but is not limited to:

- Fences;
- Houses;
- Transportable structures designed for residential or business purposes (provided the owner also owns the land);
- Barns; or
- Silos.

Ineligible property includes:

- Recreational vehicles;
- Oil and gas production equipment not owned by the landowner;
- Crops, farm equipment, or livestock.

Crimes Involving Border Trespass

To be eligible for compensation, the real property damage must have been caused by a trespasser in connection with a border crime or during a law enforcement response to such a trespasser.

Date of Crime

The crime must have occurred after August 31, 2023.

Trespass

The trespass must result from one of the following offenses under Tex. Pen. Code, Ch. 28:

- Arson;
- Criminal Mischief;
- Reckless Damage or Destruction;
- Graffiti.

Border Crime

The trespass must involve transnational criminal activity and at least one of the following offenses:

- Controlled substance violations (Tex. Health & Safety Code 481, Subchapter D);
- Smuggling of persons (Tex. Pen. Code §20.05);
- Evading arrest or detention (Tex. Pen. Code §38.04);
- Trafficking of persons (Tex. Pen. Code, Ch. 20A).

Report to Law Enforcement

The real property damage must be documented in a report from a law enforcement agency (LEA).

The LEA report must include:

- A description of the property damage;
- The agricultural land where the damage occurred (the address must match the application);
- Confirmation that the damage was caused by a trespasser involved in an offense under Ch. 28, Penal Code, or law enforcement response to such a trespasser;
- Indication that the trespass was in furtherance of a border crime, including the applicable offense.

In rural areas, the law enforcement report may include GPS coordinates.

Timely Filing and Reporting

Applications must be submitted within 90 days of the incident unless good cause is demonstrated for a delay.

Applications should be reported to law enforcement within a reasonable timeframe. Generally, reporting within 72 hours is considered reasonable. If the report is delayed to the point that it hampers the investigation or prosecution, the application may be deemed ineligible unless good cause is shown for the delay.

FIRST YEAR IN REVIEW

SEPTEMBER

1ST Texas Legislature Landowner Compensation Program takes effect

OCTOBER

3RD Online and internal application development begins

12TH OAG LCP website goes live announcing all program updates

FEBRUARY

16TH Administrative rule published for comment (*30-day comment period*)

MARCH

25TH Continual staff training begins

MAY

3RD Administrative rule final rule published

6TH Online application portal goes live

11TH First online application received

12TH Texas Administrative Code, Title 1, Part 3, Chapter 65 takes effect

JUNE

20TH First LCP payment

OUTREACH

OAG staff has provided outreach and education about the LCP to the following counties and organizations:



Hidalgo Co.



Hudspeth Co.



Kinney Co.



Maverick Co.



The OAG has developed materials to educate about LCP eligibility and application requirements:



Program
Brochures



Law Enforcement
Checklist

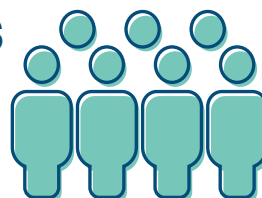


Program
Requirement
Awareness



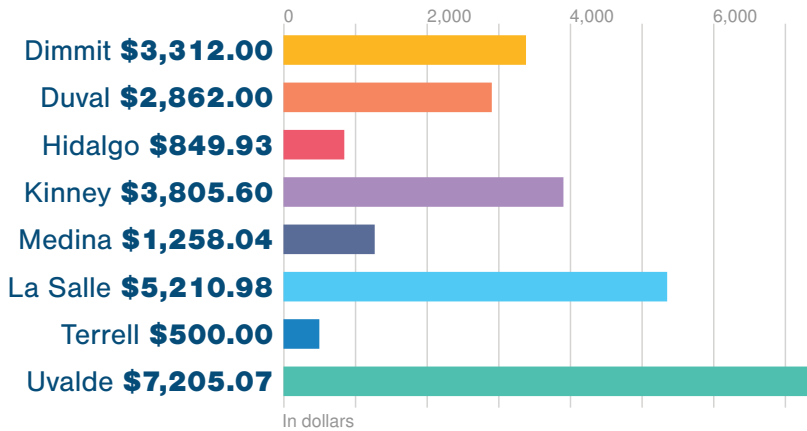
Providing
Support

The OAG attended **FOUR OUTREACH EVENTS**
reaching **1,000 TOTAL PARTICIPANTS**

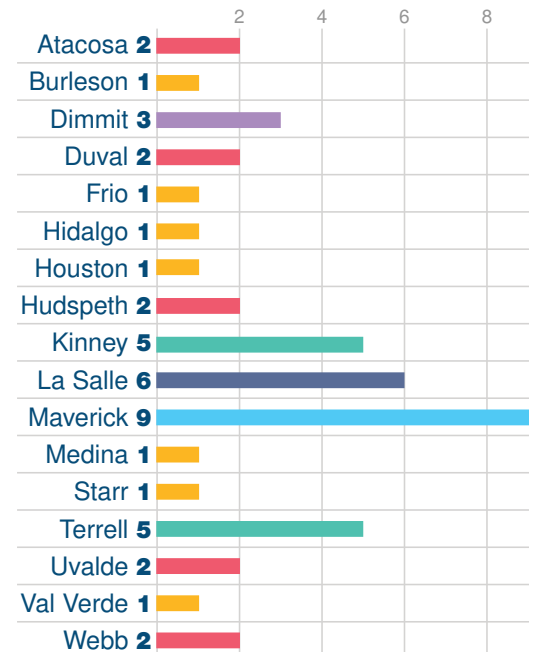




COMPENSATION BY COUNTY



APPLICATIONS BY COUNTY



45
APPLICATIONS

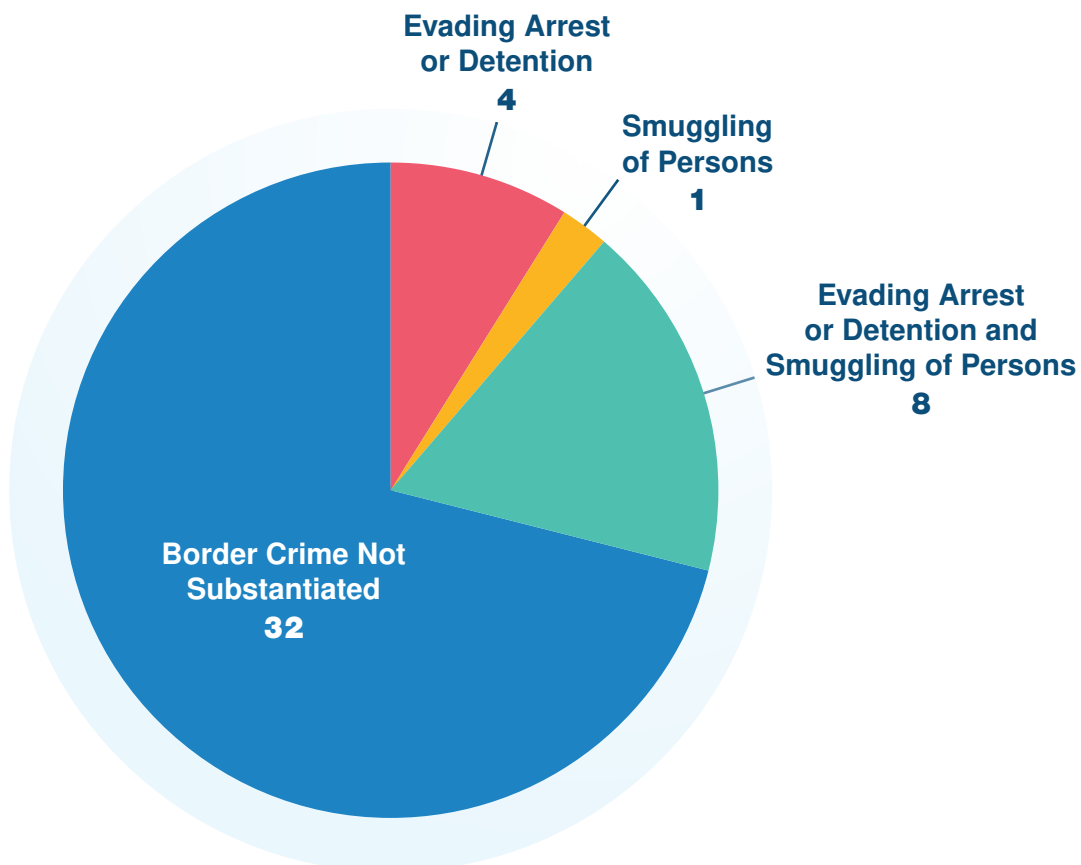
9 APPROVED
12 DENIED

TOTAL AWARDED
\$25,003.62



COMPENSATION BY OFFENSE

Offense	Applications Received	Applications Awarded	Compensation Awarded
Evading Arrest or Detention	4	3	\$10,158.48
Smuggling of Persons	1	1	\$500.00
Evading Arrest or Detention and Smuggling of Persons	8	5	\$14,345.14
Trafficking of Persons	0	0	\$0.00
Controlled Substance	0	0	\$0.00
Border Crime Not Substantiated	32	0	\$0.00



Back of Cover



CRIME VICTIM SERVICES DIVISION
LANDOWNER COMPENSATION PROGRAM