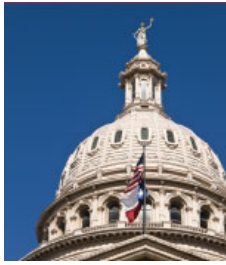


Having trouble viewing this email? [Click here](#)



AUSTIN NEWSLETTER

Texas Farm Bureau's Weekly Newsletter for the 85th Legislature

June 9, 2017 | Regular Session Wrap-up

Session Wrap-up

AGRICULTURE

HB 572 by Representative Phil Stephenson and Senator Lois Kolkhorst. Sent to the Governor (*TFB Supported*)

- Creates pesticide disposal fund outside of general revenue fund, which consists of money deposited to the fund from the pesticide registration fees collected under the agriculture code. It will be administered by the Texas Department of Agriculture (TDA).
- Requires TDA to coordinate with the Texas Commission on Environmental Quality and Texas A&M AgriLife Extension Service to organize pesticides waters and container collection activities. It allows them to contract for services to dispose the materials.

SB 1459 by Senator "Chuy" Hinojosa and Representative Armando Martinez. Signed by the Governor, effective date 5/19/17 (*TFB Supported*)

- Addresses the concern of abandoned citrus groves that may harbor pests and diseases that may spread to commercial growers.
- Provides for a temporary cessation of the agricultural use of certain land to manage the spread of certain pests.

HB 3587 by Representative Bill Zedler. **FAILED** (*TFB Supported*)

- Addresses the issue of cultivating industrial hemp in Texas to provide an economic boost.

SB 1172 by Senator Charles Perry and Representative Charlie Geren. Sent to the Governor (*TFB Supported*)

- Addresses the issue of ensuring that farmers do not become overburdened by regulations that would prevent them from producing and to provide uniformity in the application of seed regulation across Texas.

ANIMAL HEALTH AND WELFARE

HB 2817 by Representative Mary Gonzales and Senator Charles Perry. Sent to the Governor (*TFB Supported*)

- Amends the Penal code to make it a third degree felony criminal mischief offence when someone kills cattle, bison or horses using a firearm or other weapon or by any other means.
- Creates an exception to the criminal mischief statute for killing cattle or bison when they are killed in the course of the actor's regular agricultural labor duties and practices.

EMINENT DOMAIN

SB 626 by Senator Charles Schwertner. *FAILED (TFB Supported)*

- Amends current law relating to the acquisition of certain real property in conjunction with the acquisition of real property for a public use through eminent domain.
- Strengthens landowners' rights by requiring buyers who want more land for their project to make a separate offer for the additional property. That offer must state that the land isn't subject to acquisition through eminent domain.
- Updates the Landowner's Bill of Rights to include those two requirements.

SB 627 by Senator Charles Schwertner. *FAILED (TFB Supported)*

- Adds to the Landowner's Bill of Rights: (1) the condemnor is responsible for damages arising from the survey; (2) the landowner may negotiate the terms of the survey; and (3) the condemnor may sue in court to enter the property even though the landowner has the right of refusal.
- Strengthens private property rights by ensuring that both landowners and condemnors understand their obligations and duties regarding surveys.
- CSSB 627 amends current law relating to notice of a property owner's rights relating to the examination or survey of property by an entity with eminent domain authority.

SB 740 by Senator Lois Kolkhorst. *FAILED (TFB Supported Introduced Version)*

- Requires the condemnor to provide any appraisal it intends to use at the special commissioners hearing at least 3 days prior to the hearing.
- Requires a condemnor to provide minimum property rights protection and describe the uses for the condemnor property.
- Requires condemnors to reimburse property owners for attorney's and professional fees in eminent domain proceedings where it is determined that the condemnor's lowest offer for the property is 20 percent or more lower than the amount determined by a special commissioner or other court.
- Requires a condemnor to either pay the award to the landowner, deposit the amount with the court or purchase a surety bond to cover the award, should the entity go bankrupt, change organization or go insolvent.
- This bill shifts this obligation to the condemnor, making them responsible for the property taxes for the portion of the land that has been taken.
- TFB supported the measure as introduced and through initial revisions. TFB switched to Oppose after amendments severely weakened the bill.

HB 2684 by Representative DeWayne Burns. *FAILED (TFB Supported Introduced Version)*

- Similar to SB 740 (Above)
- TFB supported the bill as introduced and through initial revisions. TFB switched to Oppose after amendments severely weakened the bill.

TAXES**HB 3198** by Representative Drew Darby and Senator Craig Estes. Signed by the Governor, effective date 9/1/2017 *(TFB Supported)*

- Removes the change-of-use rollback penalty when surface use changes due to no fault of the owner for oil and gas operations.

SB 1979 by Senator Charles Schwertner. *FAILED (TFB Supported)*

- Clarifies that if land is not used for agricultural purposes because of eminent domain, additional taxes and interest imposed by that change are the responsibility of the condemning entity, not the previous landowner. Landowners do not have any responsibility over the change of the land's use.
- Amends current law relating to liability for the additional tax imposed on land appraised for ad valorem tax purposes as agricultural land if the use of the land changes because of condemnation.

TRANSPORTATION**HB 62** by Representative Tom Craddick and Senator Judith Zaffirini. Signed by the Governor, effective date 9/1/2017 *(TFB Supported)*

- Prohibits the use of a wireless communication device for electronic messaging while operating a motor vehicle unless the vehicle is stopped.
- Amends the current law relating to the use of a wireless communication device while operating a motor vehicle, creates a criminal offense and modifies existing criminal penalties.

SB 977 by Senator Charles Schwertner and Representative Trenton Ashby. Signed by the Governor, effective date 9/1/17 *(TFB Supported)*

- Ensures taxpayers will not be asked to later subsidize, bail out or otherwise financially support a private high-speed rail project.
- Prohibits the legislature from making appropriations related to the planning, facility construction or maintenance, security or operation of a high-speed rail project operated by a private entity.
- State agencies are prohibited to use state money for high-speed rails, but will make certain exceptions for federally required environmental duties.
- This bill requires that certain elected and appointed officials will receive a quarterly report from agencies on high-speed rail-related expenses.
- Protects the interest of state taxpayers while continuing to allow private entities to pursue their state objective.
- SB 977 specifies that agencies must follow existing state and federal law, adds promotion of high-speed rail operated by a private entity to the list of actions that the legislature may or may not appropriate and agencies may not accept or use

funds for, and includes the Texas Comptroller of Public Accounts and Speaker of the House of Representatives to the list of certain elected and appointed officials who will receive expense reports made on a semi-annual basis.

SB 979 by Senator Charles Schwertner. FAILED (*TFB Supported*)

- SB 979 amends current law relating to the disposition of real property intended for high-speed rail projects.
- This bill specifies that a private entity does not have the power of eminent domain for the purpose of developing or operating a high-speed rail project and prohibits any such entity that acquires private property through the threat of eminent domain from later using that property for purposes other than high-speed rail project. If not used for high-speed rail, the original landowner must be given notice and the right of first refusal to repurchase the property.
- This bill protects private property rights by providing landowners with assurances that their property will not be taken under an eminent domain threat and later used for a different purpose.

SB 980 by Senator Charles Schwertner. FAILED (*TFB Supported*)

- Prohibits state funds, credits or guarantees for private high-speed rails unless the state first obtains and maintains liens or repayment strategies to the state. The comptroller must first review and certify the agreement to ensure that the lien is sufficient to protect the state's financial interests.
- Alleviates the financial liability of the state while continuing to allow private entities to pursue their stated objectives.
- SB 980 replaces the comptroller with the Bond Review Board as the entity that must review and certify agreements to ensure that a lien or other security strategies protect the state's financial interests.

WATER

HB 31 by Representative Lyle Larson and Senator Charles Perry. FAILED (*TFB Supported*)

- Amends the current law relating to the regulation of groundwater.
- Addresses the issue of groundwater conservation districts violating private property rights by impeding, delaying or denying issuance of groundwater permits.

HB 1318 by Eddie Lucio III. FAILED (*TFB Opposed*)

- Regulates retail public utilities' production of groundwater based on tract size or acreage. A district should consider the aggregate contiguous acreage owned or leased by the retail public utility in the district.

HB 2894 by Representative Eddie Lucio III and **SB 1430** by Senator Charles Perry. Signed by the Governor, effective date 9/1/17 (*TFB Supported*)

- SB 1430 encourages the use of desalinated seawater.
- SB 1430 amends current law relating to a requirement that the Texas Commission on Environmental Quality provides a quick procedure for action on certain applications for an amendment to a water right by specific applicants that use desalinated seawater.

SB 862 by Senator Charles Perry. FAILED (*TFB Supported*)

- This bill puts all parties to lawsuits involving a GCD on a level playing field by allowing any prevailing party to automatically recover costs associated with that legal proceeding.
- SB 862 amends current law relating to the award of attorney's fees and other costs in certain proceedings involving a groundwater conservation district.

SB 1009 by Senator Charles Perry and Representative Lyle Larson. Sent to the Governor (*TFB Supported*)

- This bill addresses the issue of limiting the contents that a district may require of well permits and permit amendment applications.

SB 1392 by Senator Charles Perry. FAILED (*TFB Supported*)

- This bill promotes the use and improvements of science for permitting actions and groundwater management.
- Provides encouragement for management of shared groundwater reservoirs that are affected by water users.
- CSSB 1392 amends current law relating to groundwater conservation districts.

MISCELLANEOUS**HB 25** by Representative Ron Simmons and Senator Kelly Hancock. Signed by the Governor, effective date 9/1/17 (*TFB Supported*)

- This eliminates the option of straight party voting in Texas elections.

HB 300 and SB 16 by Representative Phil King and Senator Robert Nichols. Signed by the Governor, effective date 9/1/17 (*TFB Supported*)

- This legislation significantly reduces all application fees for either first-time concealed carry permits or permit renewals.

HB 3451 by Representative Lynn Stucky. FAILED (*TFB Opposed*)

- Allows a state agency or institution of higher education to perform a scientific study of potential feral hog control measures in the state.
- Stipulates that the TDA may not approve use of lethal pesticide, including warfarin, for feral hog control unless the study makes recommendations to do so.
- Amends current law relating to the study and approval of lethal pesticides for feral hogs.

HB 3926 by Representative John Kuempel. FAILED (*TFB Supported*)

- Provides a framework under the Texas Racing Commission that authorizes and regulates purpose-driven pari-mutuel wagering and dedicating that revenue to fund, among other priorities, body armor for law enforcement agencies.

SB 4 by Senator Charles Perry and Representative Charlie Geren. Signed by the Governor, effective date 9/1/17 (*TFB Supported*)

- Prohibits "sanctuary city" policies.
- Creates civil and criminal penalties for people in the criminal justice system.
- Allows local law enforcement agencies, campus police and other local governmental entities to inquire about a person's immigration status and comply with detainer requests.

SB 277 by Senator Donna Campbell and Representative James Frank. Sent to Governor (*TFB Opposed*)

- Restricts/limits wind-powered energy devices from being installed in certain areas.
- Prohibits tax credits/exemptions for these devices within 25 nautical miles of certain military installations.

Texas Farm Bureau State Legislative Team

Jim Reaves, State Legislative Director

Issue areas: Labor, Education, Agriculture and Rural Affairs

Email: jreaves@txfb.org

Austin Office Phone: 512-472-8288

Marissa Patton, Associate Legislative Director

Issue Areas: Agriculture, Eminent Domain, Land Use Regulation and Rural Affairs

Email: mpatton@txfb.org

Mike Pacheco, Associate Legislative Director

Issue Areas: Criminal Justice, Energy, Elections, Taxes, Transportation, Utility Regulation and Tort

Email: mpacheco@txfb.org

Billy Howe, Associate Government Affairs Director

Issue Areas: Natural Resources and Environmental Regulations

Email: bhowe@txfb.org

Waco Office Phone: 254-751-2208

FOLLOW US ON TWITTER!

If you would like immediate updates on the action in Austin, follow the Legislative staff on Twitter.

Jim Reaves - [@jimreaves](https://twitter.com/@jimreaves)

Billy Howe - [@TFBGovAff_Billy](https://twitter.com/@TFBGovAff_Billy)

Marissa Patton - [@TFBAUS_Marissa](https://twitter.com/@TFBAUS_Marissa)

Mike Pacheco - [@TFBAUS_Mike](https://twitter.com/@TFBAUS_Mike)

You can also search for our Hashtag - #TXFBAustin

Contact

State Office

P.O. Box 2689
Waco, Texas 76702-2689
254.772.3030

Austin Office

600 W. 12th Street
Austin, Texas 78701
512.472.8288
Fax: 512.472.9120



TEXAS FARM BUREAU®

Texas Farm Bureau, 7420 Fish Pond Rd, Waco, TX 76710

[SafeUnsubscribe™ {recipient's email}](#)

[Forward this email](#) | [Update Profile](#) | [About our service provider](#)

Sent by governmentaffairs@txfb.org in collaboration with



Try it free today