



# AUSTIN NEWSLETTER

Texas Farm Bureau's Weekly Newsletter for the 86th Legislature

April 19, 2019 | Regular Session, Issue 15  
86th Regular Session

Every Friday, this newsletter will keep you up to speed on some of the legislation important to Texas Farm Bureau members that Austin staff are following.

Please do not hesitate to contact the appropriate staff with any questions.

## **Texas Farm Bureau Leader Day in Austin**

As part of the grassroots action plan on eminent domain reform, the TFB state board of directors approved having a statewide "Leader Day" to make a final push for eminent domain reform. We are organizing this Leader Day for Wednesday, May 15, and Thursday, May 16.

All CFB presidents are invited to attend this Leader Day. If the CFB president cannot attend, then another board member may come in their place. We encourage anyone attending to share vehicles, or if possible, ride with a member of the TFB field staff. TFB will cover hotel rooms and travel expenses for one person per county. Breakfast will be provided. All other meal expenses are on your own.

Information regarding hotel reservations and registration was mailed to the County Farm Bureau presidents. This event is coming quickly, so please register as soon as possible.

## **Eminent Domain Update**

**[HB 991](#)**, by Rep. DeWayne Burns (R-Cleburne), and **[SB 421](#)**, by Rep. Lois Kolkhorst (R-Brenham), will be heard in the House Land and Resource Management Committee on Thursday, April 25. The hearing begins at 8 a.m. Click [here](#) to watch it live.

We have continued to try to reach an agreement with the oil and gas industry about how to implement the three "agreed to" concepts of standard easement terms, initial offer

based upon a valuation by a licensed professional and a property owner information meeting. But at this time, we do not have an agreement about how to implement these concepts.

## **Rural Health Care**

**HB 1065**, by **Rep. Trent Ashby (R-Lufkin)**, was passed from the House on April 12 with a 130-12 vote and has now been referred to the Senate Higher Education Committee. This legislation addresses the shortage of physicians in rural communities. Currently, the majority of physicians fail to complete their graduate medical education in rural areas because of the number of caseloads, diversity of cases and residency staffing requirements.

HB 1065 seeks to solve this problem by requiring the Texas Higher Education Coordination Board to administer a competitive grant program that would create new positions in rural and non-metropolitan areas as incentives to participate in these programs. The grants would only fund the most needed medical care in rural and non-metropolitan areas until the residency program becomes eligible for a federal grant program.

**SB 1084**, by **Sen. Lois Kolkhorst (R-Brenham)**, is the Senate companion bill that has been referred to the Senate Higher Education Committee.

**TFB supports HB 1065 and SB 1084.** (TFB Policy: Health 182, lines 9-10)

## **Annexation**

**SB 746**, by **Sen. Donna Campbell (R-San Antonio)**, was passed out of the Senate with by a 27-4 vote on April 16. This legislation lowers the threshold for the number of registered voter signatures needed for residents of Tier 2 counties to successfully petition their county commissioners for a vote on whether or not they want to be annexed by a city. Under current law, the number of signatures needed to call for an election is 10% of registered voters. SB 746 lowers the threshold to 7%.

In addition to providing more residents access to voting on annexation, SB 746 requires cities to wait at least five years before attempting to annex property where voters have previously rejected annexation at the ballot box.

**HB 2479**, by **Rep. Philip Cortez (D-San Antonio)**, is the House companion bill that was heard and left pending in the House Land and Resource Management on April 16.

## **Pesticide Disposal**

**HB 191**, by Rep. Phil Stephenson (R-Wharton), was voted out of the House on April 17 with a 129-11 vote. The bill requires the Texas Department of Agriculture, in coordination with the Texas Commission on Environmental Quality and the Texas A&M AgriLife Extension Service, to organize a statewide program for the safe disposal of pesticide waste and containers.

It establishes a pesticide disposal fund to be administered by TDA that will consist of fees already being collected for purposes of pesticide disposal activities. The bill caps the annual deposit of money received into the fund at \$400,000 and prohibits TDA from increasing the amount of a pesticide registration fee collected for purposes of pesticide disposal activities.

**TFB supports HB 191.** (TFB Policy: Agricultural Chemicals 134, lines 43-45)

## **Seed Certification**

**HB 2166**, by Rep. Kyle Kacal (R-Bryan), was unanimously voted out of the House on April 17. This legislation replaces the State Seed and Plant Board administered by the Texas Department of Agriculture with the Texas Crop Improvement Association as the state's official seed certification agency. The bill requires the Texas Crop Improvement Association to comply with standards and procedures established by the State Seed and Plant Certification Council in accordance with the Federal Seed Act to assure the genetic purity and identity of the seed and plants certified. The association shall carry out this work on a financially self-supporting basis.

Seed certification is a voluntary marketing program to add value to certain seed sold domestically and required by some countries where seed is shipped. All state programs are overseen and audited by the Association of Official Seed Certifying Agencies on behalf of USDA.

**TFB supports HB 2166.** (TFB Policy: Seed Law 137, lines 35-40)

## **Groundwater Rights**

**SB 851**, by Sen. Charles Perry (R-Lubbock), was voted favorably from the Senate on April 17 with a 21-10 vote. This legislation relates to the current unfair law that requires a

landowner to pay a groundwater conservation district attorney's fee if they challenge a district's rules or permitting decision in court and lose. But it does not allow a landowner to recover their attorney's fees.

SB 851 requires that in a court case against a groundwater conservation district, the judge may award attorney's fees to the prevailing party. The attorney fees may not exceed \$250,000. The bill was first reported on in the thirteenth issue of the Austin Newsletter.

The record vote can be viewed on page 14 at this [link](#).

**TFB supports SB 851.** (TFB Policy: Property Rights, lines 2-5; Groundwater 153, lines 140-145)



## **Texas Farm Bureau State Legislative Team**

**Billy Howe**, Associate Director of Government Affairs

*Issue Areas: Natural Resources, Environmental Regulation, Ethics & Elections, Rural Affairs, and Appropriations*

Email: [bhowe@txfb.org](mailto:bhowe@txfb.org)

Austin Office Phone: 512-472-8288

**Marissa Patton**, Associate Legislative Director

*Issue Areas: Agriculture, Eminent Domain, Land Use Regulation, and Appropriations*

Email: [mpatton@txfb.org](mailto:mpatton@txfb.org)

**Mike Pacheco**, Associate Legislative Director

*Issue Areas: Criminal Justice, Energy, Labor, Taxes, Transportation, Utility Regulation, Tort, and Appropriations*

Email: [mpacheco@txfb.org](mailto:mpacheco@txfb.org)

**FOLLOW US ON TWITTER!**

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

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)

Texas Farm Bureau: [@texasfarmbureau](https://twitter.com/texasfarmbureau)

---

## 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

---

