



AUSTIN NEWSLETTER

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

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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.

Legislative Deadlines Coming Up

The rules of the House and Senate set certain deadlines for bills to be voted from committee or that particular chamber. Bills will either pass or fail over the next few days based on these deadlines.

May 24 - Last day to concur on House/Senate amendments or request a conference committee

May 25 - Conference committee reports must be filed by midnight

May 26 - Last day for the House and Senate to pass conference committee reports or concur on House/Senate amendments.

Eminent Domain Update

CSSB 421, by Senator Lois Kolkhorst (R-Brenham) and sponsored by Rep. Tom Craddick (R-Midland), passed the Texas House on Wednesday. The Senate has until Friday at midnight to concur or request a conference committee. As was previously reported, the House version of SB 421 contains provisions that would be detrimental to landowners.

TFB, TSCRA, Texas Wildlife Association and our property rights friends in the Texas House only supported passing SB 421 from the Texas House so Sen. Kolkhorst could go to conference committee and reinstate language that will provide meaningful eminent

domain reform. Our organizations were officially neutral on the House version of SB 421.

Rep. DeWayne Burns had negotiated "agreed-to" language for SB 421 after the House committee hearing between the landowner groups and private entities on the bona fide offer, easement terms and property owner meetings. Our groups are advocating for Sen. Kolkhorst to use that compromise language as the basis for her conference committee report. It will certainly demonstrate whether or not the private entities were negotiating in good faith, if they oppose that language.

Sen. Kolkhorst also amended HB 2831 by Canales on the Senate floor. Her floor amendment included the "agreed-to" language on the bona fide offer and easement terms negotiated for SB 421 in the House by Rep. Burns. This gives us another opportunity to pass two of our eminent domain priorities, if the House concurs on Sen. Kolkhorst's amendment.

However, the amendment may not meet the parliamentary test of "germaneness." Under the rules, an amendment must be on the same subject as the bill it is amending. If the House finds that it is not germane, then HB 2831 can be killed with a "Point of Order" because of the non-germane amendment. It is a risky strategy, but we appreciate Sen. Kolkhorst giving us every opportunity to pass meaningful eminent domain reform.

Stay tuned...

Taxes

HB 639 by Rep. Drew Springer (R-Muenster) and sponsored by Sen. Robert Nichols (R-Jacksonville) was unanimously passed out of the Senate on May 17 and sent to the governor on May 21.

HB 639 will bring ecological laboratory, also known as "eco-labs," qualified property in line with similar standards others have to meet to receive the same value designation on their property. Currently, eco-labs receive the value open-space land receives. However, eco labs can receive designation the same year they obtain eco-lab status. It is commonly accepted that farmers and ranchers must continue to produce on the property for five of seven years in order to receive the designation.

HB 639 will bring eco-labs to the same five of seven standard others must meet, helping to prevent abuse of the program. The bill had an acceptable amendment put on in the House which will grandfather those who may not meet the five of seven threshold but already qualify as of the 2019 tax year.

TFB supports HB 639. (TFB Policy: Property Taxes 142, lines 195-200)

Pesticide Disposal

HB 191 by Rep. Phil Stephenson (R-Wharton) and sponsored by Sen. Lois Kolkhorst (R-Brenham) was voted out of the Senate on May 16 with a 25-6 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. This bill was first reported on in the fifteenth issue of the *Austin Newsletter*.

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

Rural Healthcare

SB 170 by Sen. Charles Perry (R-Lubbock) and sponsored by Rep. Four Price (R-Amarillo) was unanimously passed out of the House on May 17 and sent to the governor on May 21.

SB 170 amends and reinforces current law in Texas to pay rural hospitals their actual cost to treat Medicaid patients. Rural hospitals serve a large majority of the state's land mass and are often the only care available for many rural residents. In recent years, many rural hospitals have struggled to keep their doors open and cannot afford to take a loss treating Medicaid patients. It is important to keep rural hospitals operating to treat Medicaid patients and all Texas citizens.

TFB supports SB 170. (TFB Policy: Health 182, lines 36-39)

Rural Infrastructure

CSHB 2422 by Rep. Doc Anderson (R-Waco) and sponsored by Sen. Robert Nichols (R-Jacksonville) was passed out of the Senate on May 22 with a 29-2 vote.

Too many Texans still lack access to broadband internet service. As our world becomes more interconnected, it is crucial to make sure rural communities are given the proper infrastructure to succeed. CSHB 2422 seeks to promote broadband infrastructure by coordinating planning efforts to improve broadband.

The bill will require the Texas Department of Transportation to provide notice on their website of projects that will provide opportunity for joint trenching in state right-of-way

(ROW). Broadband companies will have the chance to use exposed trenching to install broadband in the ROW. This is a small change that will make it easier for companies to build out broadband infrastructure across the state.

TFB supports CSHB 2422. (TFB Policy: Rural Living 183, Lines 47-51)

Edwards Aquifer Authority

CSHB 3656 by Rep. Andrew Murr (R-Junction) and sponsored by Sen. Pete Flores (R-Pleasanton) was unanimously passed out of the Senate on May 20.

Landowners with permits from the Edwards Aquifer Authority for agricultural irrigation may not sever 50 percent of their permitted water right from the land. This creates a conflict when the land can no longer be farmed and the water cannot be converted to another use. Texas Farm Bureau supports amending the EAA Act so that when land is developed and can no longer be used for agriculture, the water can be converted to another beneficial use. An update on this bill was given in the eighteenth issue of the *Austin Newsletter*.

TFB supports CSHB 3656. (TFB Policy: Groundwater 153, lines 150-153)

Transportation

HB 2290 by Rep. Brad Buckley (R-Killeen) and sponsored by Sen. Pete Flores (R-Pleasanton) was unanimously passed out of the House on May 20.

HB 2290 relates to the placement of a slow-moving vehicle emblem. Currently, slow-moving vehicles are required to mount an emblem on the rear of the vehicle that is three to five feet above the road surface. This bill will remove the height requirement and allow the owner to mount the emblem at a height that does not impair the visibility of the emblem. This bill was last reported on in the eighteenth issue of the *Austin Newsletter*.

TFB supports HB 2290. (TFB Policy: Farm Machinery 163, lines 13-18)



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