

AUSTIN NEWSLETTER

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

March 29, 2019 | Regular Session, Issue 12
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.

Eminent Domain Update

Lt. Gov. Dan Patrick convened several stakeholder meetings over the past two weeks to work out a compromise on SB 421 and HB 991 on eminent domain reform for private entities. Texas Farm Bureau has participated extensively in these meetings. TFB President Russell Boening and Executive Director Si Cook have personally been to Austin to help negotiate a compromise.

As of now, we are very close to an agreement. There are only a few issues objected to by the private entities on the landowner meeting section, preventing a consensus compromise. These issues may not be resolved prior to SB 421 coming to the Senate floor for a vote. Sen. Lois Kolkhorst has SB 421 on the Senate Intent Calendar for Monday, April 1. **At this time, it is her intent to ask senators to support her in bringing SB 421 up before the full senate for a vote on Monday**, regardless if those few issues have been resolved with the private entities.

The work of Rep. DeWayne Burns in negotiating the bills since early February has been a major factor in being so close to a compromise on the bills. The easement language, most of the landowner meetings language and the concepts on the bona fide initial offer all stem from conversations Rep. Burns had with stakeholders over the past two months. And Sen. Kolkhorst added to that by getting Lt. Gov. Patrick to support her in moving SB 421 ahead in the process, so that the private entities would focus on trying to finalize an agreement.

It will be critical for TFB to continue our grassroots efforts to support these bills, especially if the private entities choose to oppose the bill because of a few issues with the

landowner meeting section. We will need our volunteer leaders to communicate to their legislators how far we have come to have an agreement on easement terms, fair initial offers and landowner meetings with just a few issues. This should be a fair and reasonable bill that our legislators should support, even if some of the private entities oppose it.

We continue to have our county leaders come to Austin each week to support SB 421 and HB 991. This week was our sixth week having around 20 county leaders at the Capitol. If you are interested in coming to Austin to support our effort, please contact your field representative. They are coordinating these weekly trips to Austin.

Groundwater Rights

The following three bills were heard in the House Natural Resource Committee on Tuesday, March 26, and all were left pending.

[HB 2122](#) and **[HB 2123](#)**, by Rep. Cody Harris (R-Palestine), aims to protect landowners' groundwater rights. HB 2122 protects landowners from public water utilities attempting to use landowners' groundwater without compensation or consent. HB 2123 gives a landowner or groundwater rights owner the right to petition the groundwater conservation district to consider amending its rules. Both of these bills were originally reported on in the seventh issue of the *Austin Newsletter*.

TFB supports HB 2122 and HB 2123. (TFB Policy: Real Property Rights 150, Lines 2-5; Groundwater 153, Lines 9-13; 57-59; 78-82; 175-178)

[HB 2249](#), by Rep. Eddie Lucio III (D-San Benito), is being promoted for the third legislative session by the Texas Rural Water Association. They say this legislation is needed to prevent an increase in the cost of water. But they are attempting to prevent that increase in cost by requiring groundwater conservation districts to allow them to drain the groundwater from under land the utility does not own or have the rights to drain. This is a taking of groundwater without compensation or the landowner's consent. This bill was outlined in the eighth issue of the *Austin Newsletter*.

TFB opposes HB 2249. (TFB Policy: Groundwater 153, Lines 61-63; 78-83; 175-178; and 244-246)

To see a list of the organizations that testified for and against these bills, [click here](#) and then click on the Witness List for the March 26 meeting.

To watch the complete hearing on these bills, use this [link](#). The coverage starts at 56:02 for HB 2123 and 1:52 for HB 2122/HB 2249.

Rural Infrastructure

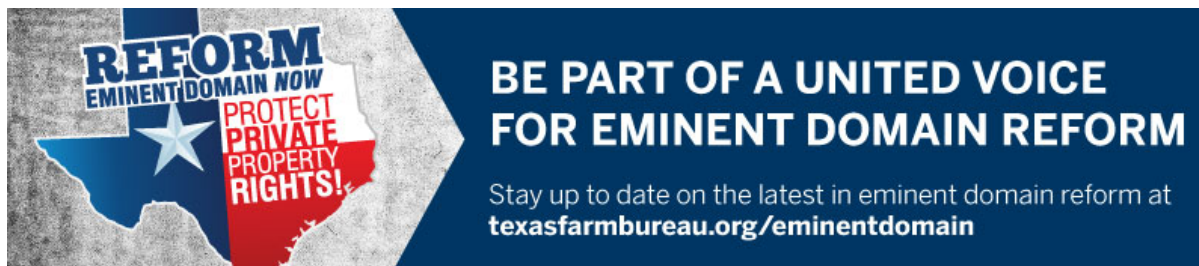
HB 2422 and **HB 2423**, by **Rep. Doc Anderson (R-Waco)**, are bills from an interim's worth of work on trying to find ways to connect rural communities. As our world becomes more interconnected, it is as important as ever to make sure rural communities have the infrastructure in place to compete.

HB 2422 and its companion, **SB 1104** by **Sen. Charles Perry (R-Lubbock)**, are known as the "one-dig" bills. It will require that Texas Department of Transportation and other entities work with the Public Utility Commission (PUC) to come up with a process that creates a notice when road projects are taking place. Companies will then be able to take advantage of the construction to lay fiber for broadband on highway right-of-ways. The bill doesn't mandate companies do this, but having notice will allow for companies to take advantage of the opportunity to serve rural areas.

HB 2423 also has a senate companion, **SB 1103** by **Sen. Charles Perry (R-Lubbock)**. These bills create a body within the PUC that would help coordinate broadband infrastructure projects and an investment fund. The fund is to provide public grants for projects that stimulate the installation and maintenance of broadband in rural or underserved areas.

Texas Farm Bureau supported HB 2422 and HB 2423 in House State Affairs on Monday, March 25. These bills take small steps in making sure rural communities stay connected.

TFB supports these bills. (TFB Policy: Rural Living 183, Lines 47-51)



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

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

Mike Pacheco, Associate Legislative Director

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

Email: 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

