



AUSTIN NEWSLETTER

Texas Farm Bureau's Weekly Newsletter for the 87th 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 Update

Water

SB 152: and **HB 668:** Relating to the regulation of groundwater conservation districts.

[Sen. Perry, Charles \(R\)](#)

[Rep. Harris, Cody \(R\)](#)

HB 668 was referred on the House Committee on Natural Resources.

On March 22, Billy Howe—TFB associate director of Government Affairs—testified in support of SB 152 at the public hearing for the Senate Water, Agriculture and Rural Affairs Committee. After all testimony was heard, the committee members voted unanimously in favor of the committee substitute for SB 152. Click [here](#) to watch the video of the public hearing. SB 152 was discussed from minute 33 to minute 76. Howe's testimony can be found at minute 44.

The Groundwater Conservation Districts (GCDs) that testified on the bill were in support of the bill except for the provision concerning attorney's fees. Across the board, GCDs expressed opposition to a court judge having the discretion—rather than the responsibility—to award attorney's fees to GCDs when they win a lawsuit.

Click [here](#) to read the full summary on SB 152 and HB 668 in Issue 3 of the Austin Newsletter.

Click [here](#) to see the witness list for SB 152 from the hearing.

TFB **supports** SB 152 and HB 668. (TFB 2021 Policy: Real Property Rights 150, Page 57, Lines 13-16; Groundwater 153, Pages 67 and 69, Lines 9-13, 45-59 and 140-145.)

SB 601: and **HB 3096:** Relating to the creation and activities of the Texas Produced Water Consortium.

[Sen. Perry, Charles \(R\)](#)

[Rep. Burrows, Dustin \(R\)](#)

On March 22, the Senate Water, Agriculture and Rural Affairs Committee voted favorably on the committee substitute for SB 601.

HB 3096 was referred to the House Committee on Natural Resources.

Click [here](#) to read our summary of SB 601 in Issue 5 of the Austin Newsletter.

TFB **supports** SB 601 and HB 3096. (TFB 2021 Policy: Water Management 155, Page 78, Lines 146 – 147.)

Sunset Review – Texas Animal Health Commission

HB 1830: and **SB 705:** Relating to the continuation and functions of the Texas Animal Health Commission.

[Rep. Cyrrier, John \(R\)](#)

[Rep. Lucio Jr., Eddie \(D\)](#)

HB 1830 was referred to the House Agriculture & Livestock Committee.

SB 705 was referred to the Senate Water, Agriculture, & Rural Affairs Committee. The bill was voted favorably from the committee with no changes and has been placed on the intent calendar for consideration on the Senate floor.

Summary

This bill proposes several revisions and additions to the existing functions of the Texas Animal Health Commission (TAHC). Some revisions would transfer discretionary powers to TAHC by replacing exact lists and rules with language that allows the TAHC to adopt rules outside the Legislature. Other revisions would clarify certain definitions. Additions to the code would expand some of TAHC's duties and powers.

Authority to Periodically Review Enforcement (Expansion of Power): The bill proposes that TAHC should analyze serious and repeat violations to understand the most effective enforcement and training practices.

Control and Eradication of Diseases (Replacement for Discretion): The bill proposes replacing the codified list of diseases and animals that TAHC monitors with language that allows TAHC to monitor diseases and animals that they deem at risk.

The Texas A&M Veterinary Medical Diagnostic Laboratory (Expansion of Power): The bill proposes that TAHC and the Texas A&M Veterinary Medical Diagnostic Laboratory partner to collect specimens and conduct testing at a rate beneficial to both entities. The bill does not restrict TAHC from testing outside of the Texas A&M Veterinary Medical Diagnostic Laboratory or conducting its own testing, if needed.

Deadlines for Certifications of Animal Testing or Vaccination (Replacement for Discretion): The bill proposes replacing the 48-hour deadline for certifications with: "within the time prescribed by the commission by rule."

Treatment of Livestock (Revision for Clarification): The bill proposes replacing the words "dipping" or "dip" with "treatment" or "treat."

TFB **supports** HB 1830 and SB 705. (TFB 2021 Policy: Livestock 120, Pages 15-16, Lines 88-91).

Rural Connectivity

SB 5: Relating to the expansion of broadband services to certain areas.

[Sen. Nichols, Robert \(R\)](#)

SB 5 was voted favorably from the Senate Committee on Transportation on Wednesday, March 24.

Click [here](#) to read our summary of SB 5 in Issue 8 of the Austin Newsletter.

TFB **supports** SB 5. (TFB 2021 Policy: Rural Living Section 183, Pages 116-117, Lines 47-54.)

Utility Regulation

HB 10: Relating to the governing body of the independent organization certified to manage the ERCOT power region.

[Rep. Paddie, Chris \(R\)](#)

The committee substitute for HB 10 was successfully passed out of the House Committee on State Affairs last week. The bill passed out of committee with no substantial changes and was referred to House Calendars to be considered for placement on the House floor calendar.

Click [here](#) to read our summary of HB 10 in Issue 9 of the Austin Newsletter.

TFB **supports** HB 10. (TFB 2021 Policy: Utilities 146, Page 50, lines 48-51.)

HB 11: Relating to the extreme weather emergency preparedness of facilities for providing electric service.

[Rep. Paddie, Chris \(R\)](#)

The committee substitute for HB 11 was successfully passed out of the House Committee on State Affairs last week. The bill passed out of committee with no substantial changes and was referred to Calendars to be scheduled for a vote.

Click [here](#) to read our summary of HB 11 in Issue 9 of the Austin Newsletter.

TFB **supports** HB 11. (TFB 2021 Policy: Utilities 146, Page 50, lines 48-51.)

Pesticide Application

HB 1070: and **SB 395:** Relating to the continuation and functions of the Texas Animal Health Commission.

[Rep. Harris, Cody \(R\)](#)

[Sen. Perry, Charles \(R\)](#)

HB 1070 has passed the Texas House and will be sent to the Texas Senate.

Summary

HB 1070 and SB 395 propose amending the exemptions to the Texas Structural Pest Control Act, which regulates pesticide applicators that apply pesticide in and around structures. The act has many exemptions for agriculture, but a clause about licensed pesticide applicators has a flaw that these bills attempt to remedy.

The current act states that licensed pest control applicators who work on growing plants, trees, shrubs, grass and other horticultural plants are exempt from being licensed under the act. However, application of pesticides is rarely done just by the licensed applicator. Often, employees of the licensed applicator assist in applying pesticides.

The bills expand the exemption for licensed applicators to include those individuals "under the supervision of a person who holds a commercial or noncommercial applicator license."

TFB **supports** HB HB 1070 and SB 395.(TFB 2021 Policy: Agricultural Chemicals 134, Page 27, Lines 108-109.)

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