



AUSTIN NEWSLETTER

Texas Farm Bureau's Weekly Newsletter for the 88th 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.

Constitutional Right to Farm Passes Texas House!

Texas Farm Bureau's priority issue this session has been the right to farm. On Monday, April 10, the House of Representatives heard three of TFB's priority bills relating to the right to farm. All three bills were passed by the house!



HJR 126 by Rep. DeWayne Burns was passed by the House of Representatives with a vote 144-0! In the last edition of the *Austin Newsletter*, Texas Farm Bureau called on you to contact your state representative to vote on this bill. It is because of your efforts this piece of legislation was passed! Thank you for your diligent work assisting farmers and ranchers across Texas.

HJR 126 will protect the day-to-day practices used by farmers and ranchers in the Texas Constitution. It will protect you from regulatory overreach of state agencies or local governments. It will protect you from a future legislature passing laws to dictate how you farm and ranch. It will protect you from activist groups that want to dictate how you farm and ranch. [Click here to learn more.](#)

[The Humane Society of the United States](#) flooded the Capitol with emails in opposition to HJR 126. They claimed it does the following:

- Is an assault on family farmers on the behalf of “industrial” agriculture;
- Makes animal cruelty legal;
- Allows agriculture to pollute water and the environment; and
- Takes the power away from our legislators and local government.

The Texas House saw through this gross misrepresentation of HJR 126 and overwhelmingly supported the constitutional amendment.

HSUS will not give up. We must be ready to shed light on their misinformation and true agenda against animal agriculture as we work to get HJR 126 through the Texas Senate.

We must also be ready to battle with the cities that don't want to give up any control over land use. The cities do not want to be held to a higher standard of proof when regulating farming and ranching.

Right to Farm Bills also pass Texas House!

HB 1750: by [Rep. DeWayne Burns](#) and **HB 2308** by [Rep. Trent Ashby](#) were also passed by the Texas House. HB 1750 passed with a 143-3 vote. HB 2308 was passed with a 142-1 vote.

HB 1750 will prohibit cities from imposing governmental requirements on all agricultural operations within city limits. Cities may only impose restrictions on an ag operation if the city can prove it is necessary to protect the public from danger.

HB 2308 Rep. Ashby's bill amends the Texas Agricultural Code to protect agricultural operations from nuisance and other legal actions during and after expansion. After a year has passed, nuisance suits may be brought only if "clear and convincing evidence" of a substantial change that resulted in a nuisance can be proved in court.

These bills compliment HJR 126 by strengthening the protection for ag operations in the Texas Agriculture Code.

New Bills

HB 2818 and **SB 321:** Relating to the production and regulation of hemp; providing administrative penalties; creating a criminal offense.

[Cain, Briscoe \(R\)](#) and [Perry, Charles \(R\)](#)

Summary:

These bills amend the Texas Agriculture Code to include hemp as an agricultural commodity.

This legislation allows TDA to issue licenses to institutions of higher education to research hemp seeds and plants. These institutions may cultivate and handle varieties of hemp, as well as feral hemp.

The higher education institutions may not sell or transfer hemp to another person unless the institution complies with applicable law.

One may transport into Texas, as well as cultivate in Texas, immature hemp if the plants are accompanied by the proper shipping documentation.

There are different levels of criminal offenses for the corresponding amount of times one has cultivated hemp without a license.

- First time offenders may be issued a warning or a fine;
- Second time offenders may be warned, fined, or have their hemp plants seized and disposed of;
- Third time offenders be criminally prosecuted.

TFB **supports** HB 2818 and SB 321. (TFB Policy: Commodities-General 100, pg. 7, l. 26-28)

Current Status:

HB 2818 was heard in the House Committee on Agriculture and Livestock Wednesday and was left pending in committee. SB 321 has been referred to the Senate Committee on Water, Agriculture, and Rural Affairs but has not yet had a hearing.

HB 3053: Relating to the municipal disannexation of areas annexed during a certain period of time.

[Dean, Jay \(R\)](#)

Summary:

This bill allows for a vote to disannex land in Texas that was annexed between March 3, 2015 to Dec. 1, 2017.

If the voters elect to be disannexed, the municipality may still “continue to impose a property tax each year on the property in the area at the same rate” it was being charged while the area was annexed.

This tax may be used toward the municipal debt incurred by the area prior to its disannexation.

TFB **supports** HB 3053. (TFB Policy: Cities 171, pg. 104, l. 4-7)

Current Status:

This bill allows for a vote to disannex land in Texas that was annexed between March 3, 2015 to Dec. 1, 2017.

HB 3053 was voted favorably from the Committee on House Land & Resource Management with a 9-0 vote.

Updates on Previously Reported Bills

HB 1971: Relating to the procedures for acting on a permit or permit amendment application by a groundwater conservation district and the disqualification of board members of groundwater conservation districts.

[Ashby, Trent \(R\)](#)

Summary:

HB 1971 was summarized in [a previous edition of the Austin Newsletter](#).

The bill was amended to remove the provisions penalizing GCD board members that break quorum.

Update:

HB 1971 was voted favorably from the Committee on House Natural Resources with a 9-0 vote.

TFB **supports** HB 1971. (TFB 2023 Policy: Groundwater Section 153, Page 70, Lines 45-48; Groundwater Section 153, Page 71, Lines 140-145)

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