



# AUSTIN NEWSLETTER

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

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May 5, 2023 | Regular Session, Issue 16 | 88th Regular Session

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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.

## Update on Previously Reported Bills

### Constitutional Right to Farm & Ranch Passes Texas Legislature!

Texas Farm Bureau's priority issue this session has been the right to farm and ranch. [HJR 126](#) by Rep. DeWayne Burns and sponsored by Sen. Charles Perry was finally passed in the Texas Senate with a vote of 31-0! Through both the House and Senate, there was not one single vote against this bill. This is a testament to your efforts in advocating with your legislators. Thank you for your diligent work in pushing this important legislation!

The final step in putting protections for farmers and ranchers in the Texas Constitution will be at the ballot box in November!

#### Summary:

The latest version of HJR 126 was summarized in [a previous edition of the Austin Newsletter](#).

#### Update:

HJR 126 passed the Texas Senate with a vote of 31-0.

Texas Farm Bureau President Russell Boening provided testimony in support of this bill. To watch his testimony on the bill, click the following link and skip to the timestamps listed below.

[Senate Committee on Water, Agriculture & Rural Affairs \(Part I\) - May 1st, 2023](#)

1:08:14 Bill Layout

1:09:12 President Boening Testimony

TFB **supports** HJR 126. (TFB 2023 Policy: Real Property Rights Section 150, Page 58, Lines 2-5; Real Property Rights Section 150, Page 59, Lines 27-31; Real Property Rights Section 150, Page 61, Lines 153-154)

## Right to Farm

**HB 1750:** Relating to the applicability of certain city requirements to agricultural operations.

[Burns, DeWayne \(R\)](#), SP: [Perry, Charles \(R\)](#)

### Summary:

The latest version of HJR 126 was summarized in [a previous edition of the Austin Newsletter](#).

### Update:

HB 1750 was voted favorably from the Committee on Senate Water, Agriculture & Rural Affairs with a vote of 8-0. It will now head to the Senate floor.

Texas Farm Bureau President Russell Boening provided testimony in support of this bill. To watch his testimony on the bill, click the following link and skip to the timestamps listed below.

[Senate Committee on Water, Agriculture & Rural Affairs \(Part I\) - May 1st, 2023 \(granicus.com\)](#)

52:28 Bill Layout

54:23 President Boening Testimony

TFB **supports** HB 1750. (TFB 2023 Policy: Real Property Rights Section 150, Page 58, Lines 2-5; Real Property Rights Section 150, Page 59, Lines 27-31; Real Property Rights Section 150, Page 61, Lines 153-154)

**HB 2308:** Relating to nuisance actions and other actions against agricultural operations.

[Ashby, Trent \(R\)](#), SP: [Perry, Charles \(R\)](#)

### Summary:

The latest version of HJR 126 was summarized in [a previous edition of the Austin Newsletter](#).

### Update:

HB 2308 was voted favorably from the Texas Senate with a vote of 30-1.

The bill had a floor amendment that made a needed technical correction. It will now head back to the House for them to concur.

Texas Farm Bureau President Russell Boening provided testimony in support of this bill in committee on Monday. To watch his testimony on the bill, click the following link and skip to the timestamps listed below.

[Senate Committee on Water, Agriculture & Rural Affairs \(Part I\) - May 1st, 2023](#)

59:20 Bill Layout

1:02:58 President Boening Testimony

TFB **supports** HB 2308. (TFB 2023 Policy: Real Property Rights Section 150, Page 59, Lines 29-31; Real Property Rights Section 150, Page 60, Lines 107-108; Real Property Rights Section 150, Page 61, Lines 153-154)

**HB 2271:** Relating to the protection of aquaculture operations.

[Kacal, Kyle \(R\)](#)

**Summary:**

HB 2271 revises the Texas Agricultural code to include “aquaculture” as an “agricultural operation.” Aquaculture operations are due the same benefits, rights, and protections as all other agricultural operations.

**Update:**

HB 2271 was passed by the House of Representatives with a vote of 143-3.

TFB **supports** HB 2271. (TFB 2023 Policy: Aquaculture Section 110, page 8, lines 1-4)

**Truth in Labeling Passes the Legislature!**

**HB 1788 and SB 664:** Relating to the labeling of analogue and cell-cultured products.

[Buckley, Brad \(R\)](#) and [Perry, Charles \(R\)](#)

**Summary:**

The latest versions of HB 1788 and SB 664 were summarized [a previous edition of the Austin Newsletter](#).

**Update:**

SB 664 passed the House of Representatives with a vote of 140-0. The bill will now head to the governor's desk.

TFB **supports** HB 1788 and SB 664. (TFB 2023 Policy: Livestock Section 120 Page 15, Lines 45-55; Marketing Section 134, Page 26, Lines 68-70)

## Commodities: Hemp

**HB 2818:** Relating to the production and regulation of hemp; providing an administrative penalty; requiring a permit to conduct certain research involving hemp; authorizing a fee; creating a criminal offense.

[Cain, Briscoe \(R\)](#)

### Summary:

HB 2818 enables the Department of Agriculture to request modifications to Texas hemp growing laws to comply with altering local, state, or federal laws or regulations.

The latest versions of HB 1788 and SB 664 were summarized [a previous edition of the Austin Newsletter](#).

### Update:

HB 2818 passed the House of Representatives with a vote of 126-17. The bill will now be sent to the Senate.

TFB **supports** SB 2818. (TFB 2023 Policy: Commodities- General Section 109, Page 7, Lines 26-28)

## Property Rights

**HB 376:** Relating to a landowner's bill of rights statement in connection with the acquisition of real property through eminent domain.

[Rogers, Glenn \(R\)](#)

### Summary:

HB 376 requires the landowner's bill of rights landowners to give property owners notice of their right to a report of any decreased value "for the owner's remaining property" after an eminent domain taking.

### Update:

HB 376 was passed by the House of Representatives with a vote of 143 -0. The bill will now be sent to the Senate.

TFB **supports** the HB 376. (TFB Policy: Eminent Domain Section 151, Page 63, Lines 40-45)

## Trucking Regulation

**HB 2683:** Relating to the use of dyed diesel fuel to operate a motor vehicle during and for a limited period following certain disasters.

[Burns, DeWayne \(R\)](#)

### Summary:

Off-road diesel is dyed red to clearly identify that fuel taxes have not been collected on it since it is to be used strictly off-road. HB 2683 allows for unpenalized use of dyed diesel to fuel vehicles during a period of declared disaster, so long as the vehicle is operated either (1) in the disaster area or (2) the dyed fuel was placed in the vehicle while the vehicle was located in the disaster area. The use expires 30 days after the disaster declaration expires.

### Update:

HB 2863 was voted favorably out of the House Committee on Ways & Means with a vote of 11-0. HB 2683 was passed by the House of Representatives with a vote of 146-0. HB 2863 was received by the Senate and is pending to be referred to a committee.

TFB **supports** HB 2683. (TFB Policy: Other Taxes Section 145, Page 47, Lines 23-24.)

## Rural Affairs

**HB 2851:** Relating to the composition of the board of directors of the Texas Agricultural Finance Authority and grant amounts under the young farmer grant program administered by the authority.

[Burns, DeWayne \(R\)](#)

### Committee Substitute Language:

The committee substitute (CS) includes changes to who serves on the board of directors for the Texas Agricultural Finance Authority. The CS would require "a representative from the College of Agriculture and Human Sciences from Prairie View A&M" to serve on the board, as well as a representative from Tarleton State University's Agriculture and Natural Resources College. The director of the Institute

for International Agribusiness Studies at PVA&M would no longer be required to serve.

HB 2851 still increases the cap of the Young Farmer Grant Program to \$35,000.

**Update:**

HB 2851 was passed by the House of Representatives with a vote of 143-1.

TFB **supports** HB 2851. (TFB Policy: Banking & Credit Section 175, Page 110, Lines 34-35)

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

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