

## **BILL ANALYSIS**

C.S.H.B. 969  
By: Springer  
Agriculture & Livestock  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

It has been noted that state law prohibiting a political subdivision from adopting an ordinance or rule that restricts the planting, sale, or distribution of noxious or invasive plant species was deemed necessary to avoid subjecting such plant species to a patchwork regulatory system that made compliance with the law cumbersome for plant nurseries. However, concerns have been raised that a patchwork regulatory system still exists with respect to the removal of these plant species which makes compliance with local law cumbersome for some landowners. C.S.H.B. 969 seeks to address these concerns by prohibiting the adoption of certain local regulations relating to a landowner's removal of noxious or invasive plant species or noxious brush.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

C.S.H.B. 969 amends the Agriculture Code to prohibit a political subdivision from adopting an ordinance or rule that prohibits or limits the removal by a landowner of a noxious or invasive plant species located on the landowner's property if the property is a homestead, designated for agricultural use under the Tax Code, or a single family residential property. The bill prohibits a municipality or county from adopting or enforcing an ordinance, order, rule, or other regulation that prohibits or limits the removal by a landowner of any noxious brush located on the landowner's property if the property is a homestead, designated for agricultural use under the Tax Code, or a single family residential property. The bill defines "noxious brush" as brush designated by the State Soil and Water Conservation Board as an eligible brush species detrimental to water conservation for purposes of implementing the state water supply enhancement plan.

### **EFFECTIVE DATE**

September 1, 2019.

### **COMPARISON OF ORIGINAL AND SUBSTITUTE**

While C.S.H.B. 969 may differ from the original in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The substitute makes the bill's prohibitions applicable with regard to property that is a homestead, designated for agricultural use, or a single family residential property.