

BILL ANALYSIS

C.S.S.B. 1772
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Agriculture & Livestock
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Pollinators are essential to our agriculture and economy. As of 2014, pollinators were annually contributing over \$24 billion to the U.S. economy. Honey bees, specifically, accounted for more than \$15 billion as they pollinate many essential crops. However, the bee population is dwindling below economically tolerable amounts. In 2015, U.S. beekeepers lost more than 40 percent of their honey bee colonies. In Texas, the Parks and Wildlife Department (TPWD) has identified a number of native bee species that are endangered. One threat to bee populations are solar farms, as solar panel installations disturb soil and remove native vegetation. C.S.S.B. 1772 seeks to address this issue by requiring Texas A&M AgriLife Extension, in consultation with the Department of Agriculture and TPWD, to establish and implement the Texas Pollinator-Smart program to encourage the voluntary establishment and conservation of habitats for bees, birds, and other pollinators in and near solar energy sites.

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.S.B. 1772 amends the Education Code to require Texas A&M AgriLife Extension, in consultation with the Department of Agriculture (TDA) and the Parks and Wildlife Department (TPWD), to do the following:

- establish and implement the Texas Pollinator-Smart program to encourage the voluntary establishment and conservation of habitats for bees, birds, and other pollinators in and near solar energy sites;
- award the Texas Pollinator-Smart certificate to solar energy sites with pollinator habitats that meet or achieve a standard determined by the extension; and
- develop educational materials for the program that include information regarding the following topics:
 - benefits to solar energy producers, neighboring landowners, agricultural producers, and the environment of providing pollinator habitats at solar energy sites;
 - resources and practices for establishing and maintaining pollinator habitats;
 - native plant species compatible with solar energy sites that provide habitat for pollinators;
 - methods to prevent, identify, and eradicate invasive species without causing harm to pollinators;

- any available grants or other financial incentives for establishing or maintaining pollinator habitats;
- examples of pollinator habitats established at solar energy sites in Texas or other locations; and
- the Texas Pollinator-Smart certificate.

C.S.S.B. 1772 authorizes the extension to provide advice and technical assistance to participants and potential participants in the program, including reports evaluating the suitability of solar energy sites. The bill makes participation in the program by a solar energy site voluntary.

Implementation of a provision of this bill by the extension is mandatory only if a specific appropriation is made for that purpose.

EFFECTIVE DATE

September 1, 2021.

COMPARISON OF SENATE ENGROSSED AND SUBSTITUTE

While C.S.S.B. 1772 may differ from the engrossed in minor or nonsubstantive ways, the following summarizes the substantial differences between the engrossed and committee substitute versions of the bill.

The substitute requires the extension to undertake the bill's requirements in consultation with the TDA and TPWD, whereas the engrossed did not require such consultation.

The substitute does not include a requirement included in the engrossed that the extension develop a Texas Pollinator-Smart scorecard with criteria to evaluate and score pollinator habitats at solar energy sites in Texas. Accordingly, while the engrossed specified that a solar energy site's pollinator habitats must meet or achieve a score determined by the extension for the site to qualify for a Texas Pollinator-Smart certificate, the substitute specifies instead that the habitats have to meet or achieve a standard determined by the extension.