

BILL ANALYSIS

Senate Research Center

H.B. 1568
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S/C on Agriculture & Coastal Resources
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Engrossed

AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

In 1981, the Texas Legislature adopted the Protection and Preservation of Agricultural Operations Act, or as it is more commonly known, the Right to Farm Act. The definition of an agricultural operation included in the act is meant to be representative of what constitutes agriculture. Agriculture operations have undergone a great deal of change in the past twenty years and the current definition is somewhat antiquated.

Many owners of ranch land realized their marginal pasture land was more valuable as wildlife habitat than grazing for livestock. In recognition of this shift toward wildlife management by agriculture producers, in 1995 the Texas Legislature amended the definition of agriculture in the Texas Constitution and the Tax Code to include the term "wildlife management." Every general definition of agriculture since 1995 has included wildlife management.

Without the inclusion of wildlife management in the definition of an agricultural operation under Chapter 251 of the Agriculture Code, landowners engaged in wildlife management will not have the protections afforded to other agriculture producers under the act.

HB 1568 adds the terms wildlife management and silviculture (tree farming) to the definition of an agricultural operation in the Right to Farm Act.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 251.002(1), Agriculture Code, to redefine "agricultural operation."

SECTION 2. Effective date: September 1, 2005.