

BILL ANALYSIS

Senate Research Center
88R18805 MP-D

H.B. 2271
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Water, Agriculture & Rural Affairs
5/11/2023
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Aquaculture has been a well-established agricultural entity in Texas for over 50 years; however, among other agricultural industries, it is a relative newcomer and not as clearly defined in the Agriculture Code. In the 71st Legislative Session, the regulation of aquaculture was addressed in Chapter 134, Agriculture Code. While aquaculture was clearly defined as an agricultural activity in Section 134.001(4), the first sentence of the section ("In this chapter only:") left some ambiguity as to whether aquaculture is considered an agricultural activity within other areas of the code.

By the addition of Section 2.007, Agriculture Code, H.B. 2271 clearly specifies that the agricultural policy of this state must recognize that aquaculture is a type of agriculture and must be awarded the same rights, privileges, and protections as any other type of agricultural operation. Furthermore, H.B. 2271 specifically adds aquaculture as an "agricultural operation" under Section 251.002, Agriculture Code, which pertains to the Right to Farm Act.

Key provisions:

- Clearly defines aquaculture in Agricultural Code as a type of agriculture that is entitled to the same rights, privileges, and protections as any other type of agricultural operation.
- Defines aquaculture as an "agricultural operation" under the Texas Right to Farm Act.

H.B. 2271 amends current law relating to the protection of aquaculture operations.

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 Chapter 2, Agriculture Code, by adding Section 2.007, as follows:

Sec. 2.007. POLICY: AQUACULTURE. (a) Defines "aquaculture."

(b) Requires that the agricultural policy of this state recognize that aquaculture is a type of agriculture and be awarded the same rights, privileges, and protections as any other type of agricultural operation.

SECTION 2. Amends Section 134.001(1), Agriculture Code, to redefine "cultured species."

SECTION 3. Amends Section 251.002(1), Agriculture Code, to redefine "agricultural operation" to include aquaculture.

SECTION 4. Effective date: upon passage or September 1, 2023.