

BILL ANALYSIS

Senate Research Center

S.B. 1172
By: Perry
Agriculture, Water & Rural Affairs
6/29/2017
Enrolled

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Seed use, planting, and commercialization are important aspects of the agriculture industry, not only in Texas but around the world. It is becoming increasingly difficult to meet the food and fiber demands of a growing population, which places greater importance on ensuring that our farmers do not become overburdened by regulations that could restrict their ability to produce. Increased restrictions on farmers limit their ability to meet the growing demands of our population, and drive up the price of food as well.

S.B. 1172 creates uniformity in the application of seed regulation across the State of Texas. The bill prohibits any political subdivision from creating any measures that regulate seeds, but ensures that political subdivisions still have the ability to enforce compliance with federal or state environmental standards, such as state water quality standards. Political subdivisions may also continue to take any actions necessary to enforce compliance with any other federal and state requirements, or to avoid penalties and fines. This will provide assurance to agricultural producers to prevent any conflicting regulations now or in the future. (Original Author's / Sponsor's Statement of Intent)

S.B. 1172 amends current law relating to the regulation of seed by a political subdivision.

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 61, Agriculture Code, by adding Section 61.019, as follows:

Sec. 61.019. LOCAL REGULATION OF SEED PROHIBITED. (a) Prohibits a political subdivision, notwithstanding any other law and except as provided by Subsection (c), from adopting an order, ordinance, or other measure that regulates agricultural seed, vegetable seed, weed seed, or any other seed in any manner, including planting seed or cultivating plants grown from seed.

(b) Provides that an order, ordinance, or other measure adopted by a political subdivision that violates Subsection (a) is void.

(c) Authorizes a political subdivision to take any action otherwise prohibited by this section to comply with any federal or state requirements, to avoid a federal or state penalty or fine, to attain or maintain compliance with federal or state environmental standards, including state water quality standards, or to implement certain plans or programs.

(d) Provides that nothing in this section preempts or otherwise limits the authority of any county or municipality to adopt and enforce zoning regulations, fire codes, building codes, storm water regulations, nuisance regulations as authorized by Section 342.004 (Municipal Power Concerning Weeds or Certain Public Nuisances), Health and Safety Code, or waste disposal restrictions.

SECTION 2. Provides that Section 61.019(b), Agriculture Code, as added by this Act, applies to an order, ordinance, or other measure adopted before, on, or after the effective date of this Act.

SECTION 3. Effective date: September 1, 2017.