

By: Burns, Burrows, González of El Paso,
Ashby, Bernal, et al.

H.J.R. No. 126

Substitute the following for H.J.R. No. 126:

By: Cain

C.S.H.J.R. No. 126

A JOINT RESOLUTION

1 proposing a constitutional amendment protecting the right to engage
2 in farming, ranching, timber production, horticulture, and
3 wildlife management.

4 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Article I, Texas Constitution, is amended by
6 adding Section 36 to read as follows:

7 Sec. 36. (a) The people have the right to engage in
8 generally accepted farm, ranch, timber production, horticulture,
9 or wildlife management practices on real property they own or
10 lease.

11 (b) This section does not affect the authority of the
12 legislature to authorize by general law the regulation of generally
13 accepted farm, ranch, timber production, horticulture, or wildlife
14 management practices by:

15 (1) a state agency or political subdivision when there
16 is clear and convincing evidence that the law or regulation is
17 necessary to protect the public health and safety from imminent
18 danger;

19 (2) a state agency to prevent a danger to animal health
20 or crop production; or

21 (3) a state agency or political subdivision to
22 preserve or conserve the natural resources of this state under
23 Section 59, Article XVI, of this constitution.

24 (c) This section does not affect the authority of the

1 legislature to authorize by general law the use or acquisition of
2 property for a public use, including the development of the natural
3 resources of this state under Section 59, Article XVI, of this
4 constitution.

5 SECTION 2. This proposed constitutional amendment shall be
6 submitted to the voters at an election to be held November 7, 2023.
7 The ballot shall be printed to provide for voting for or against the
8 proposition: "The constitutional amendment protecting the right to
9 engage in farming, ranching, timber production, horticulture, and
10 wildlife management."