

By: Madla

S.B. No. 854

A BILL TO BE ENTITLED

AN ACT

relating to the sale, distribution, or importation of noxious plants; providing a criminal penalty.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Chapter 71, Agriculture Code, is amended by adding Subchapter D to read as follows:

SUBCHAPTER D. NOXIOUS PLANTS

Sec. 71.151. STATEWIDE LIST. (a) The department by rule shall publish a list of noxious plant species that have serious potential to cause economic or ecological harm to the state.

(b) In preparing or amending the list, the department shall consult with representatives from the agriculture industry, the horticulture industry, the Texas Cooperative Extension, the Texas Department of Transportation, the State Soil and Water Conservation Board, and the Parks and Wildlife Department.

Sec. 71.152. NOXIOUS PLANT SALE, DISTRIBUTION, OR IMPORTATION PROHIBITED. (a) A person commits an offense if the person sells, distributes, or imports into the state a noxious plant species included on the department's list described under Section 71.151.

(b) An offense under this section is a Class C misdemeanor.

(c) A person commits a separate offense for each noxious plant item or unit sold, distributed, or imported.

SECTION 2. This Act takes effect September 1, 2003.