

BILL ANALYSIS

H.B. 2313
By: Miller
Agriculture & Livestock
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Invasive plants are those plants that by virtue of growth habit, preferred habits, high reproductive and/or growth rate, competitive nature or other characteristics, have been proven to dominate a particular ecosystem or site thereby causing economic or environmental harm or harm to human health. This bill gives the Texas Department of Agriculture (TDA) the authority to publish a list of noxious and invasive plants as economic or ecological problems are identified. The bill would then prohibit the importation, sale and distribution of plants on the invasive plant list with the State of Texas.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the Texas Department of Agriculture in SECTION 2 of this bill.

ANALYSIS

This bill gives TDA the authority to publish an invasive plants list and provides a misdemeanor for any person that sells, distributes or imports a plant on the list. This bill also prevents a political subdivision from adopting ordinances that restrict the planting, sale, or distribution of plants on the invasive plants list, but does not limit the preparation and distribution of educational materials relating to plants of local concern.

EFFECTIVE DATE

This Act takes effect September 1, 2005.