

By: Corte

H.B. No. 3575

A BILL TO BE ENTITLED

AN ACT

relating to an exemption from regulation for certain nonprofit agricultural research projects.

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

SECTION 1. Chapter 45, Agriculture Code, is amended by adding Section 45.009 to read as follows:

Sec. 45.009. EXEMPTION FOR CERTAIN ENTITIES. (a) To the extent consistent with Subsection (b), this section applies only to an agricultural research project that is:

(1) located in a county adjacent to an international border;

(2) conducted by an institution of higher education or a Texas nonprofit corporation;

(3) conducted on a farm or ranch that is at least 3,000 acres in size and that is owned by:

(A) an institution of higher education;

(B) a Texas nonprofit corporation;

(C) a trust established under state law; or

(D) a partnership established under state law that has contracted with an institution of higher education or a Texas nonprofit corporation for the operation of the agricultural research project as of September 1, 2005; and

(4) the subject of an agreement to collect or share agricultural research information between the institution of

1 higher education or the Texas nonprofit corporation conducting the
2 agricultural research project and a nonprofit organization,
3 educational organization, or governmental entity of Israel.

4 (b) This section applies to an agricultural research
5 project only if the institution of higher education or the Texas
6 nonprofit corporation conducting the project:

7 (1) executed the agreement described by Subsection
8 (a)(4) before May 1, 2004; and

9 (2) sends a copy of the agreement to the commissioner
10 of agriculture by certified mail, return receipt requested, not
11 later than October 1, 2005.

12 (c) An agricultural research project, and the farm or ranch
13 on which the project is conducted, is exempt from regulation by a
14 conservation and reclamation district created under Section 59,
15 Article XVI, Texas Constitution. The agricultural research project
16 may voluntarily pay fees to a district or voluntarily comply with
17 district regulations that do not unduly interfere with the
18 agricultural research project or the sharing of research
19 information or data with the nonprofit organization, educational
20 organization, or governmental entity of Israel.

21 SECTION 2. The change in law made by this Act applies only
22 to a fee charged or regulation enforced by a conservation and
23 reclamation district on or after the effective date of this Act. A
24 fee charged or regulation enforced before the effective date of
25 this Act is subject to the law in effect at the time the fee was
26 charged or the regulation was enforced, and the former law is
27 continued in effect for that purpose.

1 SECTION 3. This Act takes effect September 1, 2005.