

By: Howard of Travis

H.B. No. 2088

Substitute the following for H.B. No. 2088:

By: Thibaut

C.S.H.B. No. 2088

A BILL TO BE ENTITLED

AN ACT

relating to increasing public awareness of the benefits of native plant species and problems associated with invasive plant species.

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

SECTION 1. Subchapter B, Chapter 71, Agriculture Code, is amended by adding Section 71.061 to read as follows:

Sec. 71.061. NATIVE AND INVASIVE PLANT AWARENESS. (a) In this section, "nursery" means a location required under Section 71.043 to be registered by a nursery owner.

(b) A nursery that maintains a permanent storefront for purposes of selling or leasing, offering for sale or lease, or otherwise distributing nursery products to the public shall:

(1) access the Internet website of the Parks and Wildlife Department;

(2) print the sign required by Section 12.0105, Parks and Wildlife Code, to be maintained on that website; and

(3) post the sign in a conspicuous location where it is readily visible to customers.

SECTION 2. Subchapter A, Chapter 12, Parks and Wildlife Code, is amended by adding Section 12.0105 to read as follows:

Sec. 12.0105. INFORMATION ON NATIVE AND INVASIVE PLANT SPECIES. (a) The department shall develop and maintain on the department's Internet website a brochure describing the benefits of native plant species and the problems associated with invasive

1 plant species.

2 (b) The department shall also maintain on the department's
3 Internet website a downloadable, printable sign that contains the
4 following wording in at least 14-point type:

5 DO YOU KNOW YOU HAVE MANY LANDSCAPING CHOICES?
6 SOME PLANTS, ALTHOUGH LEGAL TO BUY AND SELL, MAY HAVE
7 NEGATIVE EFFECTS ON NATIVE WILDLIFE AND ECOSYSTEMS. FOR MORE
8 INFORMATION ABOUT PLANTS THAT ARE BENEFICIAL TO OUR TEXAS WILDLIFE
9 AND HABITAT AS WELL AS INVASIVE EXOTIC PLANTS, PLEASE VISIT THE
10 TEXAS PARKS AND WILDLIFE DEPARTMENT'S WEBSITE AT (insert
11 appropriate Internet website address).

12 SECTION 3. Not later than October 1, 2009, the Parks and
13 Wildlife Department shall post the sign required by Section
14 12.0105, Parks and Wildlife Code, as added by this Act, on the
15 department's Internet website.

16 SECTION 4. The department shall send a notice to each
17 nursery owner that, on September 1, 2009, holds one or more
18 registrations under Subchapter B, Chapter 71, Agriculture Code,
19 that informs the nursery owner of the requirements of Section
20 71.061, Agriculture Code, as added by this Act, and the requirement
21 that a nursery comply with that section not later than January 1,
22 2010.

23 SECTION 5. Section 71.061, Agriculture Code, as added by
24 this Act, applies only to a nursery beginning January 1, 2010.

25 SECTION 6. This Act takes effect immediately if it receives
26 a vote of two-thirds of all the members elected to each house, as
27 provided by Section 39, Article III, Texas Constitution. If this

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1 Act does not receive the vote necessary for immediate effect, this

2 Act takes effect September 1, 2009.