

By: Villarreal

H.B. No. 1135

Substitute the following for H.B. No. 1135:

By: Kleinschmidt

C.S.H.B. No. 1135

A BILL TO BE ENTITLED

AN ACT

1
2 relating to a study conducted by the Texas Department of
3 Transportation regarding the production of and use of native seeds.

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

5 SECTION 1. STUDY AND REPORT. (a) In this section, "native
6 plant" and "native seed" mean a plant or a seed from a plant that is
7 found in, and naturally endemic to, ecosystems, sites, or regions
8 in the present borders of this state, as to which the best available
9 information indicates an indigenous nature precluding the plant's
10 or seed's introduction or transport to this state from some other
11 location by nonnatural conveyances. The terms include improved
12 varieties of native seeds. Plants and seeds that do not meet the
13 definition of "native plant" or "native seed" are designated as
14 "nonnative."

15 (b) The Texas Department of Transportation shall conduct a
16 study based on a review of the use of native seed in projects
17 related to land restoration and soil stabilization by the
18 department and its contractors and assignees for the years 2008
19 through 2012, and shall report the department's historic use of
20 native seed by geographic region or district.

21 (c) In conducting the study and preparing the report, the
22 Texas Department of Transportation shall consider:

23 (1) geographic, regional, or district use of specific
24 varieties of native seed for restoration projects administered by

1 the department and its contractors or assignees;

2 (2) determinations of the percentage of the
3 department's restoration projects using native seed versus
4 nonnative seed, including blends of native and nonnative seed, by
5 geographic region or district and projects performed by the
6 department and its contractors or assignees; and

7 (3) methodologies and procedures that the department
8 and its contractors or assignees must use to forecast the future
9 needs for native seed for restoration projects by geographic
10 region.

11 (d) The Texas Department of Transportation shall develop
12 methodologies and procedures for forecasting the department's and
13 its contractors' and assignees' future needs for native seeds for
14 the years 2015 through 2020. The department shall continue to
15 maintain a five-year forecast for native seed restoration project
16 needs.

17 (e) Not later than December 1, 2014, the Texas Department of
18 Transportation shall report the results of the study conducted
19 under this Act to the legislature and post the forecast of future
20 needs for native seeds on the department's Internet website.

21 SECTION 2. EFFECTIVE DATE. This Act takes effect September
22 1, 2013.