

By: Perry

S.B. No. 1172

A BILL TO BE ENTITLED

AN ACT

relating to the regulation of seed by a political subdivision.

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

SECTION 1. Chapter 61, Agriculture Code, is amended by adding Section 61.019 to read as follows:

Sec. 61.019. LOCAL REGULATION OF SEED PROHIBITED.

(a) Notwithstanding any other law and except as provided by Subsection (c), a political subdivision may not adopt an order, ordinance, or other measure that regulates agricultural seed, vegetable seed, weed seed, or any other seed in any manner, including planting seed or cultivating plants grown from seed.

(b) An order, ordinance, or other measure adopted by a political subdivision that violates Subsection (a) is void.

(c) A political subdivision may take any action otherwise prohibited by this section to:

(1) comply with any federal or state requirements;

(2) avoid a federal or state penalty or fine;

(3) attain or maintain compliance with federal or state environmental standards, including state water quality standards; or

(4) implement a voluntary program as part of a conservation water management strategy included in the applicable regional water plan or state water plan.

(d) Nothing in this section preempts or otherwise limits the

1 authority of any county or municipality to adopt and enforce zoning  
2 regulations, fire codes, building codes, nuisance regulations as  
3 authorized by Section 342.004, Health and Safety Code, or waste  
4 disposal restrictions.

5 SECTION 2. Section 61.019(b), Agriculture Code, as added by  
6 this Act, applies to an order, ordinance, or other measure adopted  
7 before, on, or after the effective date of this Act.

8 SECTION 3. This Act takes effect September 1, 2017.