

## **BILL ANALYSIS**

Senate Research Center  
86R4208 TSR-F

S.B. 979  
By: Hughes  
Water & Rural Affairs  
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As Filed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Citrus plants can be propagated and grown by a variety of methods, including budding, grafting, or the use of rooted cuttings. While citrus propagated to produce fruit in commercial settings or to grow in dooryard ornamental settings is commonly propagated by budding or grafting, some companies in Texas have been producing certain types of ornamental citrus by rooted cuttings for years.

According to a legal determination by the Texas Department of Agriculture, there is an inconsistency with the inclusion of cuttings in the definitions adopted in Chapter 19 of the Agriculture Code that will prevent the propagation or sale of citrus plants produced by rooted cuttings. Due to recently adopted rules, all citrus propagated in Texas must abide by the Certified Citrus Budwood and the Certified Nursery Stock programs in Chapter 19, Agriculture Code.

S.B. 979 seeks to clarify the definitions of Chapter 19 by including cuttings in the definitions of the words citrus budwood and citrus nursery. This added clarity should assure the ability to produce citrus by rooted cuttings in addition to grafting or budding.

The legislation is supported by the Texas Nursery and Landscape Association as well as growers of this particular ornamental citrus variety.

As proposed, S.B. 979 amends current law relating to including cuttings as a form of propagation for citrus budwood and citrus nursery stock certification programs.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Sections 19.002(3) and (5), Agriculture Code, as follows:

(3) Redefines "citrus budwood" as a portion of a stem or branch of citrus tree containing buds used in propagation from cuttings or by budding or grafting.

(5) Redefines "citrus nursery" as a producer of citrus trees propagated from cuttings or through the budding or grafting of citrus trees using certified citrus budwood.

SECTION 2. Effective date: upon passage or September 1, 2019.