86R24405 NC-D

By:  Springer H.B. No. 969

Substitute the following for H.B. No. 969:

By:  Burns C.S.H.B. No. 969

A BILL TO BE ENTITLED

AN ACT

relating to the authority of a political subdivision to regulate the removal by a landowner of noxious or invasive plant species or brush species detrimental to water conservation from the landowner's property.

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

SECTION 1.  Section 71.153(a), Agriculture Code, is amended to read as follows:

(a)  A political subdivision may not adopt an ordinance or rule that:

(1)  restricts the planting, sale, or distribution of noxious or invasive plant species; or

(2)  prohibits or limits the removal by a landowner of a noxious or invasive plant species located on the landowner's property if the property is:

(A)  a homestead;

(B)  designated for agricultural use under Chapter 23, Tax Code; or

(C)  a single family residential property.

SECTION 2.  Subchapter C, Chapter 203, Agriculture Code, is amended by adding Section 203.0555 to read as follows:

Sec. 203.0555.  LOCAL REGULATION OF NOXIOUS BRUSH. (a)  In this section, "noxious brush" means brush designated by the board as an eligible brush species detrimental to water conservation for purposes of implementing the state water supply enhancement plan.

(b)  Notwithstanding any other law, a municipality or county may not adopt or enforce an ordinance, order, rule, or other regulation that prohibits or limits the removal by a landowner of any noxious brush located on the landowner's property if the property is:

(A)  a homestead;

(B)  designated for agricultural use under Chapter 23, Tax Code; or

(C)  a single family residential property.

SECTION 3.  This Act takes effect September 1, 2019.