

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

1 AN ACT

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

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

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

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

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

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

16 (A) a homestead;

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

19 (C) a single family residential property.

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

22 Sec. 203.0555. LOCAL REGULATION OF NOXIOUS BRUSH. (a) In  
23 this section, "noxious brush" means brush designated by the board  
24 as an eligible brush species detrimental to water conservation for

1 purposes of implementing the state water supply enhancement plan.

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

7 (A) a homestead;

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

10 (C) a single family residential property.

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