

By: Springer

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.

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

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

22 (b) Notwithstanding any other law, a municipality or county  
23 may not adopt or enforce an ordinance, order, rule, or other  
24 regulation that prohibits or limits the removal by a landowner of

1 any noxious brush located on the landowner's property.

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