

BILL ANALYSIS

Senate Research Center
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C.S.S.B. 634
By: Kolkhorst
Water, Agriculture & Rural Affairs
3/29/2021
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Carrizo Cane is an invasive grass that lines the banks of the Rio Grande in thickets. It flourishes along the rivers of Texas and the southwest like nowhere else; as much as a hundred thousand acres of the Rio Grande Basin are infested with it. Looking like a hybrid between a cornfield and a bamboo forest, people who are trying to enter the United States illegally across the Mexican border often hide in the cane. The Texas State Soil and Water Conservation Board (TSSWCB) has been working to eradicate the grass to enhance border protection. But currently, any landowner who allows state agents on their land to participate in the program is subject to public information requests. This information can then be passed on to international crime syndicates, endangering the landowner and disincentivizing them from participating in the program. If not for the disclosure of their involvement to international crime syndicates that endangers them, many property owners would participate in these programs. This program is more beneficial to Texas as a whole than to any particular landowner, and S.B. 634 merely seeks to increase participation in a program run by TSSWCB or a conservation district.

(Original Author's/Sponsor's Statement of Intent)

C.S.S.B. 634 amends current law relating to the confidentiality of the identity of certain landowners who participate in a State Soil and Water Conservation Board program to manage or eradicate an invasive species.

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 Subchapter A, Chapter 201, Agriculture Code, by adding Section 201.007, as follows:

Sec. 201.007. CONFIDENTIALITY OF PARTICIPANTS IN INVASIVE SPECIES ERADICATION PROGRAMS. (a) Provides that, except as provided by Subsection (b), information written, produced, collected, assembled, or maintained by the Texas State Soil and Water Conservation Board (TSSWCB) that would identify a landowner who participates in a TSSWCB program to manage or eradicate an invasive species is confidential and not subject to disclosure under Chapter 552 (Public Information), Government Code.

(b) Provides that Subsection (a) does not apply the identity of a person who receives a direct payment of state money under a contract with TSSWCB to manage or eradicate an invasive species.

SECTION 2. Effective date: September 1, 2021.