

BILL ANALYSIS

C.S.H.B. 2271
By: Kacal
Agriculture & Livestock
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Aquaculture has been a well-established agricultural industry in Texas for over 50 years. However, among other such industries, aquaculture is a relative newcomer and not as clearly defined in the Agriculture Code. While aquaculture is clearly labeled in certain provisions of the code as an agricultural activity, there is some ambiguity as to whether aquaculture is considered as such an activity in other areas of the code. C.S.H.B. 2271 seeks to resolve this ambiguity by clearly requiring the state's agricultural policy to recognize aquaculture as a type of agriculture.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 2271 amends the Agriculture Code to require the state's agricultural policy to recognize that aquaculture is a type of agriculture and must be awarded the same rights, privileges, and protections as any other type of agricultural operation. The bill does the following:

- includes aquatic plants that are raised under conditions where at least a portion of their life cycle is controlled by an aquaculturist as a cultured species for purposes of the regulation of aquaculture; and
- includes aquaculture as an agricultural operation for purposes of statutory provisions relating to the effect of a nuisance action or governmental requirement on a preexisting agricultural operation.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2023.

COMPARISON OF INTRODUCED AND SUBSTITUTE

While C.S.H.B. 2271 may differ from the introduced in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The substitute contains a provision absent from the introduced that includes aquatic plants that are raised under conditions where at least a portion of their life cycle is controlled by an aquaculturist as a cultured species for purposes of the regulation of aquaculture.