|  |
| --- |
| BILL ANALYSIS |

|  |
| --- |
| C.S.S.B. 1035 |
| By: Sparks |
| Agriculture & Livestock |
| Committee Report (Substituted) |

|  |
| --- |
| **BACKGROUND AND PURPOSE** The bill sponsor has informed the committee that despite existing protections under the state's right to farm laws, agricultural operators have reported instances where local governments, particularly municipalities, have enforced regulations that hinder standard agricultural practices. The bill sponsor has also informed the committee that these regulations can include restrictive zoning laws, limitations on farming activities, and other ordinances that adversely affect farming and ranching operations, which may threaten the viability of agricultural enterprises and lead to economic challenges and potential loss of agricultural land. C.S.S.B. 1035 seeks to address this issue by providing a right of action for a person aggrieved by a political subdivision's enforcement of a governmental requirement affecting certain agricultural operations in violation of applicable state law and authorizing a person who prevails in such an action to recover court costs and reasonable attorney's fees. |
| **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.S.B. 1035 amends the Agriculture Code to authorize a person aggrieved by a political subdivision's enforcement of a governmental requirement affecting certain agricultural operations in violation of applicable state law to bring an action against the political subdivision to obtain declaratory and injunctive relief to block the enforcement of the governmental requirement. The bill authorizes a person who prevails in such an action to recover court costs and reasonable attorney's fees.C.S.S.B. 1035 applies only to a cause of action that accrues on or after the bill's effective date. |
| **EFFECTIVE DATE** On passage, or, if the bill does not receive the necessary vote, September 1, 2025. |
| **COMPARISON OF SENATE ENGROSSED AND SUBSTITUTE**While C.S.S.B. 1035 may differ from the engrossed in minor or nonsubstantive ways, the following summarizes the substantial differences between the engrossed and committee substitute versions of the bill.Whereas the engrossed provided for the aggrieved person to obtain either declaratory or injunctive relief, the substitute provides for the person to obtain both declaratory and injunctive relief. |