S.B. No. 1035

AN ACT

relating to equitable relief from the enforcement of certain governmental requirements that affect agricultural operations.

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

SECTION 1.  Chapter 251, Agriculture Code, is amended by adding Section 251.009 to read as follows:

Sec. 251.009.  RIGHT OF ACTION. (a) In this section, "person" means the owner, operator, or lessee of an agricultural operation.

(b)  If a political subdivision enforces a governmental requirement in violation of this chapter or Section 36, Article I, Texas Constitution, a person aggrieved by the violation may bring an action against the political subdivision to obtain declaratory and injunctive relief to block the enforcement of the governmental requirement.

(c)  A person who prevails in an action under this section may seek and the court shall award court costs and reasonable attorney's fees.

SECTION 2.  Section 251.009, Agriculture Code, as added by this Act, applies only to a cause of action that accrues on or after the effective date of this Act.

SECTION 3.  This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2025.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_    \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_President of the Senate             Speaker of the House

I hereby certify that S.B. No. 1035 passed the Senate on April 7, 2025, by the following vote: Yeas 28, Nays 1, one present not voting; and that the Senate concurred in House amendments on May 5, 2025, by the following vote: Yeas 29, Nays 2.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_    Secretary of the Senate

I hereby certify that S.B. No. 1035 passed the House, with amendments, on April 30, 2025, by the following vote: Yeas 140, Nays 2, two present not voting.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_    Chief Clerk of the House

Approved:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_             Date\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_           Governor