

BILL ANALYSIS

Senate Research Center

H.B. 1630
By: Berlanga (Armbrister)
Natural Resources
4-28-97
Engrossed

DIGEST

The current statute regarding the sufficiency of fences was created in 1876 with its last revision in 1911. The current statute, which spells out specific requirements for barbed wire, picket, board, and rail fences, limits the usefulness of fences in many instances. The usual and customary purposes and needs for fences have changed, as well as the uses on private property. This bill provides new requirements for certain agricultural fences.

PURPOSE

As proposed, H.B. 1630 provides new requirements for certain agricultural fences.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 143.028(b), Agriculture Code, to require a fence, in order to be sufficient, to be built and maintained according to generally accepted agricultural practices for the purpose of keeping animals out of a tract of land. Deletes existing text setting forth requirements for a fence to be sufficient.

SECTION 2. Repealer: Section 143.028(c), Agriculture Code (election regarding sufficiency of a certain type of fence).

SECTION 3. Effective date: September 1, 1997.

SECTION 4. Emergency clause.