

BILL ANALYSIS

Senate Research Center
77R3240 JMG-D

S.B. 331
By: Haywood
Agriculture
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As Filed

DIGEST AND PURPOSE

Currently, agriculture plays a large part in the Texas economy by accounting for \$15 billion in direct income along with generating \$80 billion for the Texas economy as a whole, but there are many barriers hindering its future existence. Texas agriculture is in fragile condition due to droughts, floods, pests, crop losses, changing federal policy, lack of marketing, and the general disconnection of urban areas. As proposed, S.B. 331 lays the foundation for future agricultural policy, while offering a means of preventing the state's agriculture industry and rural voice from becoming obsolete.

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 Section 2.003, Agriculture Code, by requiring the agricultural policy of this state to consider and address:

- water availability issues, including planning for water supplies and drought preparedness and response, by ensuring that a high priority is assigned to the agricultural use of water;
- transportation issues, by ensuring an efficient and well-maintained farm -to-market road system and intermodal transportation to provide adequate transportation for agricultural products at competitive rates;
- state regulatory issues, by preventing the state from imposing laws or regulations that would be inconsistent with the efficiency and profitability of agricultural enterprises or have an adverse effect on the health, safety, or welfare of citizens of this state;
- state tax policy, by encouraging tax policy that promotes the agriculture industry, including production and processing;
- the availability of capital, including state loans or grants authorized by Section 52-a, Article III, Texas Constitution, by facilitating access to capital through loans and grants authorized by the Texas Constitution for agricultural producers who have established or intend to establish agricultural operations in Texas;
- the promotion of Texas agricultural products, by promoting the orderly and efficient marketing of agricultural commodities and enhancing and expanding sales of Texas raw and processed agricultural products in local, domestic, and foreign markets;
- research and education efforts, including financial risk management, consumer education, and education in the public schools, by encouraging promotional and educational programs involving all segments of agricultural and maintaining a solid

foundation of stable and long-term support for food and agricultural research while improving accountability and gathering public input concerning research;

- promotion of efficient utilization of soil and water resources, by encouraging efforts to sustain the long-term productivity of landowners by conserving and protecting the basic resources of agriculture, including soil, water, and air, while working within federal mandates relating to natural resources;
- rural economic and infrastructure development, by enhancing, protecting, and encouraging the production of food and other agricultural products;
- protection of property rights and the right to farm, by promoting and protecting agricultural activities that are established before nonagricultural activities located near the agricultural activities and are reasonable and consistent with good agricultural practices;
- preservation of farmland, by encouraging the development and improvement of farmland for the production of food and other agricultural products consistent with the philosophy of private property rights state;
- food safety, by continuing to support production of the safest food in the world with regulations based on sound scientific evidence;
- efforts to participate in the formulation of federal programs and policies, by actively addressing the development of federal policy that affects this state;
- promotion of rural fire service, by seeking opportunities to improve the sustainability and effectiveness of rural fire service for the protection of the general public and natural resources;
- promotion of valued-added agricultural enterprises, by promoting efforts to increase the value of Texas agricultural products through processing, management practices, or other procedures that add consumer benefits to agricultural goods.

For the purposes of Subsection (a) (11), an agricultural activity is presumed to be reasonable and not a nuisance, unless the activity has a substantial adverse effect on public health and safety and does not conform with federal, state, and local laws and regulations.

SECTION 2. Effective date: upon passage or September 1, 2001.