

BILL ANALYSIS

Senate Research Center
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H.B. 2997
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Urban agriculture is the practice of cultivating, processing, and distributing food in or around a town or city, and can also involve animal husbandry, aquaculture, agro-forestry, and horticulture. However, although Texas is one of the largest agricultural states in terms of agricultural production, the state has fallen behind other states in the research and advancement of urban agriculture. In addition, many urban areas in Texas lack access to the resources produced by the state's agricultural industry.

An increase in urban agriculture would contribute to food security and food safety in two ways: first, it increases the amount of food available to people living in cities, and, second it allows fresh vegetables and fruits and meat products to be made available to urban consumers. Additionally, urban agriculture also expands the economic base of the city through production, processing, packaging, and marketing of consumable products. This results in an increase in entrepreneurial activities and the creation of job opportunities, as well as food cost reduction and higher quality products.

H.B. 2997 seeks to promote the creation and expansion of urban agricultural projects in Texas by establishing the urban farming pilot program, which will award available grants to Texas urban farmers to establish new urban farms and increase existing urban farms. Also, the bill creates a select committee on urban farming to conduct an interim study and provide recommendations to the Texas Legislature.

H.B. 2997 amends current law relating to the creation and funding of the urban farming pilot program and the creation of the Select Committee on Urban Farming.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the Texas Department of Agriculture in SECTION 1 (Section 50E.002, Agriculture Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Title 3, Agriculture Code, by adding Chapter 50E, as follows:

CHAPTER 50E. URBAN FARMING PILOT PROGRAM AND SELECT COMMITTEE

SUBCHAPTER A. URBAN FARMING PILOT PROGRAM

Sec. 50E.001. DEFINITION. Defines, in this chapter, "program."

Sec. 50E.002. ESTABLISHMENT OF URBAN FARMING PILOT PROGRAM. (a) Requires the Texas Department of Agriculture (TDA) by rule to develop and implement an urban farming pilot program through which TDA will award grants if funding for grants is available to urban farmers in this state to establish new urban farms and expand existing urban farms.

(b) Requires TDA by rule to define "urban farm" and "urban farmer" for purposes of this chapter.

(c) Authorizes TDA to operate the program in an area designated as an enterprise zone under Chapter 2303 (State Office of Administrative Hearings), Government Code, in a municipality with a population of 500,000 or more.

Sec. 50E.003. USE OF AWARDED GRANT MONEY. Authorizes a grant recipient to use grant money awarded under the program only to cover costs that are approved by TDA.

Sec. 50E.004. GRANT RECIPIENT REPORTING REQUIREMENTS. Requires a grant recipient to report information related to the program to TDA in the form and manner and at regular intervals as prescribed by TDA.

Sec. 50E.005. EVALUATION BY DEPARTMENT. Requires TDA to monitor and periodically evaluate:

- (1) the performance of each grant recipient under the program;
- (2) how each grant recipient uses the grant money awarded under the program; and
- (3) the effect of the program on the grant recipient and on the residents of the municipality in which the grant recipient uses grant money.

Sec. 50E.006. FUNDING. (a) Authorizes TDA to seek, accept, and spend any funds received through grants or donations from public or private sources for the purposes of the program.

(b) Provides that TDA is not required to implement the program unless TDA has sufficient funding from a source other than an appropriation of general revenue.

(c) Prohibits state money from being used for purposes of the program.

[Reserves Sections 50E.007-50E.010 for expansion.]

SUBCHAPTER B. SELECT COMMITTEE ON URBAN FARMING

Sec. 50E.011. DEFINITION. Defines, in this chapter, "committee."

Sec. 50E.012. COMPOSITION. (a) Provides that the Select Committee on Urban Farming (committee) is composed of:

- (1) three members appointed by the president of Prairie View A&M University;
- (2) three members appointed by the board of regents of The Texas A&M University System; and
- (3) three members appointed by the director of the Texas AgriLife Extension Service.

(b) Requires the committee to elect a presiding officer from among its members.

Sec. 50E.013. COMPENSATION. Provides that a person is not entitled to compensation or reimbursement for serving as a committee member.

Sec. 50E.014. COMMITTEE DUTIES. (a) Requires the committee to:

- (1) meet at the call of the presiding officer; and

(2) conduct an interim study and make recommendations to the legislature regarding:

(A) the performance and operation of the program;

(B) the continuation, elimination, or expansion of the program;

(C) urban farming trends, including farming in sustainable living communities, cooperative crop production, and vertical integration farming;

(D) capacity for urban farming in this state; and

(E) potential effects of urban farming on the population of this state and on enterprise zones.

(b) Authorizes the committee to request the assistance of state agencies, departments, or offices to carry out its duties.

Sec. 50E.015. REPORT. Requires the committee, not later than December 1, 2012, to submit a report based on its findings to:

(1) the governor;

(2) the lieutenant governor; and

(3) the speaker of the house of representatives.

[Reserves Sections 50E.016-50E.020 for expansion.]

SUBCHAPTER C. EXPIRATION OF CHAPTER

Sec. 50E.021. EXPIRATION. Provides that this chapter expires and the committee is abolished September 1, 2013.

SECTION 2. (a) Requires TDA, not later than January 1, 2012, to implement the urban farming pilot program established under Chapter 50E, Agriculture Code, as added by this Act.

(b) Requires the appointing entities listed in Section 50E.012, Agriculture Code, as added by this Act, not later than October 1, 2011, to make the appointments required by that section.

(c) Requires the commissioner of agriculture, not later than October 15, 2011, to call the first meeting of the committee to permit the committee to elect a presiding officer as required by Section 50E.012(b), Agriculture Code, as added by this Act.

SECTION 3. Effective date: September 1, 2011.