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Several new Texas laws now in effect

By Julie Tomascik
 TFB Editor

Several new laws that were passed during the 88th Texas Legislature went into effect September 1, the official first day of the state's fiscal year 2024.

Many of the laws are of importance to farmers, ranchers and rural Texans, according to Texas Farm Bureau (TFB) State Legislative Director Charlie Leal.

"The 88th legislative session had some significant wins for Texas Farm Bureau and agriculture. Some of those laws became effective on September 1, while others went into effect immediately after the session and others will become law on January 1, 2024," Leal said.

Truth in labeling

Consumers will now have more accurate labels for imitation meat products, thanks to SB 664, which included marketing and labeling requirements.

Food companies will be in violation if the food's labels, brands, images, depictions or graphics misrepresent the food in the package.

The phrase "this product does not contain animal protein" or the words "meatless, meat free, plant-based, synthetic, lab-grown" or another similar qualifying term or disclaimer must be included on the label.

The Texas Department of State Health Services will be responsible for enforcing these standards.

Right to farm and ranch

Two laws were passed that strengthen the right to farm and ranch, which was a top priority for TFB this legislative session.

HB 1750 ensures all agricultural operations within city limits are protected from regulatory overreach, regardless of when the land was annexed by the city.

Cities may only impose

restrictions on an agricultural operation if the city can prove, with clear and convincing evidence, that it is necessary to protect the public from imminent danger.

To prove an agricultural practice imposes imminent danger, the city must obtain a report from the city health officer or consultant. The report must show clear and convincing evidence of a health and safety hazard, determine what regulation or preventative measure is needed and state whether the recommended regulation will restrict or prohibit a generally accepted practice.

The bill also calls on Texas A&M AgriLife Extension Service to develop a manual detailing what a generally accepted agricultural practice is, and the city will be required to consult this manual when adopting any restrictions on agricultural operations.

HB 2308 strengthens current law to prevent unjustified nuisance lawsuits against agricultural operations.

Preexisting agricultural operations are protected from nuisance claims if they have been in operation for a year. However, any expansion "restarts" the clock, and the operation may be sued for the next year.

HB 2308 no longer "restarts" the clock after an expansion. It

requires a substantial change to the conditions and circumstances of the ag operations to file a nuisance claim or take other legal action after one year of operation. The law also requires the person taking legal action to provide clear and convincing evidence of the nuisance.

Water

Several laws regarding water are now in effect.

HB 2443 gives landowners with groundwater ownership and rights the authority to petition their water district to change the district's rules.

The district will then hold a hearing to grant or deny the petition. The district must provide an explanation if it denies the petition. If the petition is approved, the district must begin the rulemaking procedure.

Another water bill, HB 3509, increased the amount of an export fee a groundwater conservation district may assess on an export permit. Districts may assess up to 20 cents per 1,000 gallons of water to be exported from a groundwater conservation district. The rate will automatically increase 3% per year.

The bill also authorizes the use of fees and other district funds to be used to assist private landowners with wells affected water level declines.

Liability protections

HB 73 expands liability protection for landowners and lessees to include any accident that involves livestock.

The bill prevents landowners and lessees from being held liable from damages caused by livestock due to a damaged fence. It also prevents the landowner and lessees from being held liable due to acts of God, wildlife and livestock that are beyond their control.

Another bill, SB 1133, helps landowners regarding property damage.

SB 1133 creates a grant program to compensate property owners for damage caused by criminal activity related to border security.

The attorney general's office will establish guidelines and oversee the grant program. A total of \$36 million was appropriated for the biennium to fund the program, and the maximum grant amount will be \$75,000.

Other bills of interest

SB 505 imposes a fuel tax on the registration of electric vehicles for the road maintenance fund.

It requires a \$400 initial registration fee on new electric vehicles for the two-year registration and a \$200 annual registration fee thereafter. The fee applies to motor vehicles with a gross weight of 10,000 pounds or less that uses

electricity as its only source of motor power.

SB 1017 prohibits cities and counties from enacting any restrictions that would limit access to specific fuel sources or prohibit the sale of engines based on their fuel source. This would prohibit cities and counties from banning the access to gasoline or diesel fuel or the banning of the sale of gas or diesel-powered engines.

HB 3257 allows animal industries to voluntarily work with the Texas Animal Health Commission (TAHC) to develop secure food supply plans in advance of a foreign animal disease outbreak. According to the bill, those plans would be on file with TAHC and kept confidential should any activist group make an information request of the agency.

On This Day in Texas History
September 8, 1900

On this day in 1900, a catastrophic hurricane struck the city of Galveston on the Texas coast. A third of the city was destroyed, and 6,000 to 8,000 people died. Galveston Island was completely inundated. Property loss was estimated at \$30 million. The storm is considered the worst recorded natural disaster ever to strike the North American continent.




CRMWD
 Colorado River Municipal Water District

The Colorado River Municipal Water District is accepting applications for following position at Lake Spence:

Operations Maintenance Technician - Responsible for maintaining the District's raw water pipelines, pump stations, and wells. Entry to intermediate level position.

For additional information, visit www.crmwd.org.

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