

AN ACT

relating to the regulation of seed by a political subdivision.

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

SECTION 1. Chapter 61, Agriculture Code, is amended by adding Section 61.019 to read as follows:

Sec. 61.019. LOCAL REGULATION OF SEED PROHIBITED.

(a) Notwithstanding any other law and except as provided by Subsection (c), a political subdivision may not adopt an order, ordinance, or other measure that regulates agricultural seed, vegetable seed, weed seed, or any other seed in any manner, including planting seed or cultivating plants grown from seed.

(b) An order, ordinance, or other measure adopted by a political subdivision that violates Subsection (a) is void.

(c) A political subdivision may take any action otherwise prohibited by this section to:

(1) comply with any federal or state requirements;

(2) avoid a federal or state penalty or fine;

(3) attain or maintain compliance with federal or state environmental standards, including state water quality standards; or

(4) implement a:

(A) water conservation plan;

(B) drought contingency plan; or

(C) voluntary program as part of a conservation

1 water management strategy included in the applicable regional water  
2 plan or state water plan.

3 (d) Nothing in this section preempts or otherwise limits the  
4 authority of any county or municipality to adopt and enforce zoning  
5 regulations, fire codes, building codes, storm water regulations,  
6 nuisance regulations as authorized by Section 342.004, Health and  
7 Safety Code, or waste disposal restrictions.

8 SECTION 2. Section 61.019(b), Agriculture Code, as added by  
9 this Act, applies to an order, ordinance, or other measure adopted  
10 before, on, or after the effective date of this Act.

11 SECTION 3. This Act takes effect September 1, 2017.

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President of the Senate

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Speaker of the House

I hereby certify that S.B. No. 1172 passed the Senate on April 3, 2017, by the following vote: Yeas 30, Nays 1; May 25, 2017, Senate refused to concur in House amendments and requested appointment of Conference Committee; May 26, 2017, House granted request of the Senate; May 28, 2017, Senate adopted Conference Committee Report by the following vote: Yeas 27, Nays 3.

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Secretary of the Senate

I hereby certify that S.B. No. 1172 passed the House, with amendments, on May 22, 2017, by the following vote: Yeas 135, Nays 10, two present not voting; May 26, 2017, House granted request of the Senate for appointment of Conference Committee; May 28, 2017, House adopted Conference Committee Report by the following vote: Yeas 145, Nays 0, one present not voting.

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Chief Clerk of the House

Approved:

\_\_\_\_\_  
Date

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Governor