

BILL ANALYSIS

H.B. 1964
By: Spiller
Agriculture & Livestock
Committee Report (Unamended)

BACKGROUND AND PURPOSE

The bill author has informed the committee that despite existing protections under the state's right to farm laws, agricultural operators have reported instances where local governments, particularly municipalities, have enforced regulations that hinder standard agricultural practices. These regulations can include restrictive zoning laws, limitations on farming activities, and other ordinances that adversely affect farming and ranching operations. This may threaten the viability of agricultural enterprises and lead to economic challenges and potential loss of agricultural land. H.B. 1964 seeks to address this issue by providing a right of action for a person aggrieved by a political subdivision's enforcement of a governmental requirement affecting certain agricultural operations in violation of applicable state law and authorizing a person who prevails in such an action to recover court costs and reasonable attorney's fees.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 1964 amends the Agriculture Code to authorize a person aggrieved by a political subdivision's enforcement of a governmental requirement affecting certain agricultural operations in violation of applicable state law to bring an action against the political subdivision to obtain declaratory or injunctive relief to block the enforcement of the governmental requirement. The bill authorizes a person who prevails in such an action to recover court costs and reasonable attorney's fees.

H.B. 1964 applies only to a cause of action that accrues on or after the bill's effective date.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2025.