



## Several new Texas laws go into effect Sept. 1

By Jennifer Whitlock  
Field Editor

A total of 666 pieces of legislation passed during the 87th Texas Legislature regular session will go into effect on Sept. 1, the official first day of the state's fiscal year 2022 and the 2022-2023 biennial budget cycle.

Of those, many are of importance to farmers, ranchers and rural Texans, according to Texas Farm Bureau (TFB) State Legislative Director Charlie Leal.

“It was an eventful regular session, and we had many organizational legislative priorities that saw progress,” Leal said. “There are several other priority items that either already went into effect immediately upon the governor's signature or will go into effect on Jan. 1, 2022, but there are quite a few bills that become effective on Sept. 1, as well.”

### **HB 365: Farm Animal Liability Act (FALA)**

This bill expanded liability protection to farmers and ranchers on their own property for routine activities such as handling and managing farm animals.

[Click here to learn more about FALA and how to purchase warning liability signs.](#)

### **HB 1480: “The agricultural trespass bill”**

HB 1480 creates a criminal offense for a person who damages, vandalizes, destroys or causes harm to an animal or crop facility.

“There are certain organizations with radically different beliefs about animal husbandry and agriculture that may try to gain employment somewhere or trespass onto private property in an attempt to let livestock loose or just destroy things as a way to further their cause,” Leal said. “Previously, there were no specific penalties in Texas regarding these actions outside the standard breaking-and-entering type law. But this creates a specific criminal offense and provides some additional protection to farmers and ranchers who may be impacted by these organizations or individuals.”

### **HB 2089: Detection, mitigation of crop pests, diseases**

This bill creates an agreement between the Texas Department of Agriculture (TDA), agricultural stakeholders such as TFB and higher education institutions to research and improve means and methods of identifying and treating crop pests and diseases.

Discussions are underway as to how best implement the agreement to help farmers and ranchers, according to Leal.

### **HB 4107: Notice of entry for eminent domain surveys**

“HB 4107 strengthens the requirements a pipeline must meet before entering private land for conducting a survey,” Leal said. “This is one of three bills regarding eminent domain that we were very excited to see pass in this session. Along with HB 2730 and SB 271, this creates some real changes in how eminent domain entities interact with private property owners and helps put them on more equal footing.”

Landowners must receive notification at least two days ahead of time when a common carrier intends to survey their land, and the notification must include accurate contact information for the entity in case landowners have questions. Leal noted it provides landowners with safeguards and notices when their property is subject to these types of surveys.

Landowners may obtain a copy of the survey at no cost upon request.

More information about eminent domain is available at [texasfarmbureau.org/eminentdomain](https://texasfarmbureau.org/eminentdomain).

### **SB 721: Disclosure of eminent domain appraisal reports**

Under SB 721, when a special commissioner’s hearing is called, condemning entities must provide all appraisal reports to the commissioner’s court at least three days before the hearing.

“Landowners are already required to provide this same information, so this evens the playing field,” Leal said.

### **SB 725: Appraising land as ag use after eminent domain**

This bill changes the Texas tax code for a property’s agricultural use affected by eminent domain condemnation.

Leal noted land may still qualify for agricultural use tax valuation even after the landowner was forced to stop using the property for agricultural use because of condemnation.

“This only applies if the landowner continues to use the unaffected portions of land for ag use, and the condemned right-of-way must be less than 200 feet wide. If the land doesn’t qualify for ag use valuation, the condemning entity has to pay the additional taxes and interest,” Leal said.

### **SB 801: Creating an ag education program for elementary schools**

This bill creates educational opportunities for Texas schoolchildren to learn about agriculture.

“This bill came up through a TFB member who is a high school student and who has been involved in our youth programs. Laura James, a senior this year at Flatonia High School, testified before committee and helped get this bill passed,” he said. “SB 801 directs the Texas Education Agency to work with TDA and nonprofits identified through TDA to create an agricultural education for all public elementary schools across Texas. It’s very important to expose students who may not have direct access to agriculture, and now there will be a clear path to doing so.”

### **SB 1245: Farm and ranch survey for taxation**

SB 1245 will help farmers, ranchers and landowners by requiring the Texas Comptroller of Public Accounts to create and offer in-person and online instructions on filling out the Texas Farm and Ranch Survey.

“The comptroller is required by law to develop agricultural productivity values for qualified open-space lands instead of market value. They use the formula to send money to school districts, so it’s a necessary thing,” Leal said. “But it has been somewhat unclear in the past how to fill out the survey properly and the local tax base may have been affected. So, now they have to offer some additional guidance so it can be done correctly.”

He added this bill also required the comptroller to solicit public comments on the survey design and content by Sept. 1. TFB provided input ahead of the deadline.

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