

1-1 By: Sparks, Flores, Perry S.B. No. 1035
1-2 (In the Senate - Filed January 31, 2025; February 24, 2025,
1-3 read first time and referred to Committee on Water, Agriculture and
1-4 Rural Affairs; March 31, 2025, reported favorably by the following
1-5 vote: Yeas 8, Nays 1; March 31, 2025, sent to printer.)

1-6 COMMITTEE VOTE

1-7	Yea	Nay	Absent	PNV
1-8	Perry	X		
1-9	Hancock	X		
1-10	Birdwell	X		
1-11	Blanco	X		
1-12	Gutierrez	X		
1-13	Hinojosa of Nueces	X		
1-14	Johnson		X	
1-15	Kolkhorst	X		
1-16	Sparks	X		

1-17 A BILL TO BE ENTITLED
1-18 AN ACT

1-19 relating to equitable relief from the enforcement of certain
1-20 governmental requirements that affect agricultural operations.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. Chapter 251, Agriculture Code, is amended by
1-23 adding Section 251.009 to read as follows:

1-24 Sec. 251.009. RIGHT OF ACTION. (a) If a political
1-25 subdivision enforces a governmental requirement in violation of
1-26 this chapter, a person aggrieved by the violation may bring an
1-27 action against the political subdivision to obtain declaratory or
1-28 injunctive relief to block the enforcement of the governmental
1-29 requirement.

1-30 (b) A person who prevails in an action under this section
1-31 may recover court costs and reasonable attorney's fees.

1-32 SECTION 2. Section 251.009, Agriculture Code, as added by
1-33 this Act, applies only to a cause of action that accrues on or after
1-34 the effective date of this Act.

1-35 SECTION 3. This Act takes effect immediately if it receives
1-36 a vote of two-thirds of all the members elected to each house, as
1-37 provided by Section 39, Article III, Texas Constitution. If this
1-38 Act does not receive the vote necessary for immediate effect, this
1-39 Act takes effect September 1, 2025.

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