School
Floresville High School

Senate Committee
N/A

Senate Author
Jaelyn Spinx

House Committee
Agriculture & Rural Affairs

House Authors

Lobbyist

Journalist

Right to Farm Compensation Act

HB 41

Bill Text

A BILL TO BE ENTITLED
AN ACT

relating to equitable relief from the enforcement of certain governmental requirements that affect agricultural operations

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

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

Sec. 251.009. RIGHT OF ACTION. (a) In this section, "person" means the owner, operator, or lessee of an agricultural operation.

(b) If a political subdivision enforces a governmental requirement in violation of this chapter or Section 36, Article I, Texas Constitution, a person aggrieved by the violation may bring an action against the political subdivision to obtain declaratory and injunctive relief to block the enforcement of the governmental requirement.

(c) A person who prevails in an action under this section may seek and the court shall award court costs and reasonable attorney's fees.

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

SECTION 3. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect January 1, 2027.