

CULTIVATE TEXAS ACT

Responsible Adult-Use Cannabis Legalization for Texas Sovereignty, Tax Relief, Farmer Empowerment, Water Security, and Second Amendment Protection and Employment Protections for Lawful Users

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Already written. Ready Day 1.

One bill. Six historic wins.

1. **Legalizes real cannabis** for adults 21+ – regulated and taxed like alcohol. Ends cartel funding overnight.
2. **Cuts every Texan's property tax** bill 50% (beginning post-launch and trajectory toward completion by 2034 or sooner, full elimination by 2038 via **Freedom Fund**).
3. **Generates \$8–\$12 billion new annual revenue** (scored, scaled from comparable states like Colorado/Illinois adjusted for Texas size + current Texas hemp data, Whitney Economics 2025; ramping to full projections as market matures).
4. **Schools fully funded** — ZERO new taxes, ZERO cuts.
5. **Protects Texans' Second Amendment rights** so **veterans, law enforcement officers, and military personnel** are never forced to choose between state-legal wellness and their constitutional right to keep and bear arms.
6. **Protects Texans' jobs** by shielding lawful adult users from discrimination based on off-duty cannabis use while preserving workplace safety.

Texans agree: Majority support responsible cannabis reform (69% for decriminalization, 62% for full legalization – University of Houston Hobby School of Public Affairs poll, January 2025; 79% support medical with prescription).

Right now — in April 2026 — patients are still stuck with the same corrupt limited medical program. Even after **HB 46's** "big expansion," nine more companies got conditional approvals in December 2025 (including out-of-state giants like Trulieve TX, Inc., Verano Texas, LLC, and PC TX OPCO LLC dba PharmaCann), but they're buried in bureaucracy—no new dispensaries open yet, no real change for patients. Most approvals favor massive non-Texas corporations — **NOT Texas farmers or small businesses.**

Texans pay \$50–\$150 (or more) per package for weak, low-THC products capped at 10 mg THC per dose and 1 gram total THC per package — tinctures, lozenges, and "**designer candy**" that often barely provide relief. **No smokable flower, no real concentrates** — while

neighboring states sell full-strength options affordably. **Texas farmers get zero. Texas taxpayers get zero.** Cartels get the rest.

This isn't medical expansion. This is ending a corrupt scam — where patients cross borders for real medicine — and using the revenue to deliver the biggest tax cut in Texas history via the ***Freedom Fund***.

Puts Texas farmers back in control of Texas land. Ends the crony cartel. Lets real Texans grow, sell, and prosper — with priority for honorably discharged veterans and 100% Texas-owned/ small businesses.

This isn't California chaos. Age 21+, regulated like alcohol, strict youth prevention, tougher product testing/labeling than alcohol, no public use, heavy penalties for minors. Responsible reform the Texas way—ends cartel profits, protects public health, puts Texas farmers first, protects Second Amendment rights, protects jobs for lawful users, generates billions to eliminate property taxes forever via the *Freedom Fund***, and adds drought-proof water security for growers.**

Section 1: Purpose and Legislative Findings

The people of Texas declare: Current Compassionate Use Program is a restricted monopoly favoring out-of-state cronies. Legalization provides safe, tested access; crushes illicit markets; empowers farmers; funds historic relief without new taxes or school cuts; and protects Texans' fundamental Second Amendment rights so veterans, law enforcement officers, and military personnel are never forced to choose between state-legal wellness and their constitutional right to keep and bear arms; and protects employment opportunities for responsible adult users.

Section 2: Legalization and Possession/Use Rules

- **Adults 21+** may possess, use, purchase, and consume cannabis (smokable flower, concentrates, edibles, etc.).
- **Possession Limits:** Adults may possess up to 2.5 ounces of flower (or equivalent) in public or when away from their residence. Lawful home growers may possess and store the full harvest from their allowed plants (8) securely on their private property.
- **Home grow:** Up to 8 flowering plants, 8 vegetative plants, and 16 clones per adult (max double per household if multiple adults), grown securely and not publicly visible.
- **Strict rules:** No public consumption; severe penalties for minors/impaired driving; youth education/prevention funded by revenue (***Freedom Fund***).

Section 3: Regulation and Safeguards

- **Regulated** like alcohol (via expanded agency or new Cannabis Control Commission).
- **Mandatory testing/labeling** for potency/contaminants.
- **Seed-to-sale tracking** (METRC-style) for transparency/anti-diversion.

- **Advertising limits**; local zoning/approvals (opt-in/out, buffers from schools).
- **Heavy enforcement** funding from revenue for illicit ops task force.

Section 4: Licensing and Market Structure

- **Prioritizes Texas** residents/farmers/veterans (preference points, fee reductions).
- **Initial caps** to avoid oversupply.
- **Cultivation licenses**: Up to 400 statewide (tiered small/medium/large; phased).
- **Dispensary licenses**: Up to 600 (~1 per 50,000 residents).
- **Demand-based** production quotas; moratorium if oversupply.
- **Caps** reviewed every 2–3 years.
- **Fees**: Application \$5,000–\$10,000; annual tiered \$10,000–\$100,000 (waivers for priorities).

Section 5: Texas Cannabis Water Partner Program

- **Authorizes** shared Atmospheric Water Generation (AWG) centers and co-op clusters to provide drought-proof, affordable water for licensed cultivators.
- **Phase 1**: Up to 200+ pre-vetted cultivation sites (served by shared stations producing 50K–100K liters/day for 10–30 scattered acres within 10–50 mile radius via metered co-ops, truck delivery, or short pipelines).
- **Dedicated stations** available for large-scale operations preferring exclusive access.
- **100% of *Freedom Fund* rebates**, grants, priority permitting, and incentives reserved exclusively for 100% Texas-owned or Texas-HQ'd companies.
- **Non-Texas providers** may participate under limited, non-preferred terms as determined by the administering agency to support rapid deployment.
- **Texas HQ/relocation path**: Entities establishing Texas headquarters or official subsidiary unlock preferred incentives and expanded opportunities across sectors (data centers, ports, military bases, hospitals, universities, bottling, etc.).
- Program supports efficient water use within license caps; lowers input costs for Texas farmers.

Section 6: Revenue and *Freedom Fund*

- Sources: Excise tax (10–20%), sales tax, licensing/renewal fees.

- Dedicated to **Freedom Fund**: 50% property tax cut (2031 start, toward full elimination by 2038 or sooner); full school funding; veteran mental health programs and priority licensing.
- Projections stable with controls (mature market, no oversupply crashes). Potential average homeowner savings: \$1,500–\$2,500+ annually on property taxes (combined with existing exemptions, based on current rates).

Section 7: Prevention and Sovereignty

- Undercuts cartels via legal supply.
- Integrates **Texas Sovereignty & Influence Shield Act** (bans hostile foreign ownership of land/infrastructure).
- Enforcement against diversion and foreign-linked grows.

This Act further protects Texas sovereignty by preserving state constitutional rights, including the right to keep and bear arms under Article I, Section 23 of the Texas Constitution, for those in full compliance with this Act.

Section 8: Preservation of Second Amendment Rights

(a) **Legislative Findings.** The Legislature finds that:

Lawful adult use of cannabis under this Act is regulated by the State of Texas in a manner analogous to alcohol.

Participation in the Texas Compassionate Use Program (as expanded by HB 46) or adult-use activities authorized by this Act does not, by itself, constitute evidence of impairment, addiction, or unfitness to safely exercise rights under the Second Amendment to the United States Constitution or Article I, Section 23 of the Texas Constitution.

Texas maintains a strong tradition of protecting the individual right to keep and bear arms, including constitutional carry (permitless carry) for eligible adults and the issuance of Licenses to Carry.

Law enforcement officers, military personnel, and veterans who serve and protect Texans deserve the full benefit of state constitutional protections and should not be forced to choose between responsible, state-legal wellness options and their ability to carry firearms in the line of duty or for personal defense.

Federal law (18 U.S.C. § 922(g)(3)) creates an ongoing conflict with state sovereignty; this section asserts Texas authority to protect residents' state-law rights while acknowledging federal requirements applicable to federally licensed firearm dealers.

(b) **State Law Protections.** Notwithstanding any other provision of law, and consistent with Texas Penal Code § 46.04 and other state firearms statutes:

Lawful possession, purchase, use, or cultivation of cannabis by an adult 21 years of age or older in full compliance with this Act shall not disqualify that person from owning, possessing, purchasing, carrying (including constitutional carry under Texas law), or transporting firearms or ammunition under Texas law.

There shall be a rebuttable presumption that any person in full compliance with this Act is not an “unlawful user of or addicted to any controlled substance” for purposes of any Texas firearms disqualification statute or administrative process.

The Department of Public Safety, any licensing authority, or any state or local agency shall not deny, revoke, suspend, or condition a License to Carry (LTC), eligibility for firearm purchase, constitutional carry rights, or any other firearms-related right or permit solely on the basis of lawful cannabis use or participation in programs authorized by this Act or the Compassionate Use Program.

The underlying medical or personal condition of the individual (rather than cannabis use itself) may be considered on a case-by-case basis only if it independently and demonstrably impairs safe firearm handling, consistent with existing Texas law.

Lawful compliance with this Act does not trigger any state-level controlled substance disqualifiers under Texas firearms law.

(c) **Data Privacy.** Cannabis registry, licensing, and purchaser data shall be treated as confidential to the maximum extent permitted by law and protected from disclosure under the Texas Public Information Act, except as required for tax enforcement or public safety violations involving separate criminal conduct.

(d) **Implementation and Notice.**

The administering agency shall develop and distribute clear educational materials for applicants, licensees, and the public regarding:

Strong state protections under this section.

Ongoing federal prohibitions and disclosure requirements, including ATF Form 4473 for purchases from federally licensed dealers.

Potential federal enforcement risks and the need for truthful responses on federal forms.

No state agency shall proactively share cannabis registry, licensing, or purchaser data with federal authorities for the purpose of enforcing federal firearms prohibitions except pursuant to a valid federal court order or subpoena.

(e) **Enforcement.** Any person aggrieved by a violation of this section may seek injunctive relief and reasonable attorney’s fees in a Texas district court.

(f) **Reporting.** The administering agency shall submit a biennial report to the Legislature detailing the implementation of this section, any federal conflicts encountered, and recommendations for further protection of Texas residents’ rights.

(g) **Severability and Sovereignty.** If any portion of this section is held invalid due to federal preemption or otherwise, the remainder of this Act and this section shall remain in effect to the maximum extent permitted by law. This Act shall be liberally construed to protect Texas sovereignty and the constitutional rights of its citizens.

(h) **Public Safety Personnel Alignment.** Law enforcement officers, active-duty and retired military personnel, and honorably discharged veterans who lawfully use cannabis under this Act shall receive the full benefit of these protections. The Department of Public Safety and other state agencies shall not use lawful cannabis compliance as the sole or primary basis for adverse fitness-for-duty determinations, license revocations, or other state-administered actions against these personnel, consistent with the veteran and public safety priorities established throughout this Act.

Section 9: Employment Protections for lawful Cannabis Use

(a) **Legislative Findings.** The Legislature finds that:

Lawful adult use of cannabis under this Act is regulated by the State of Texas in a manner analogous to alcohol.

Responsible Texans should not face job loss or discrimination solely for off-duty, lawful cannabis use, while employers maintain the ability to ensure workplace safety and prevent impairment on the job.

This protection supports Texas families, veterans, and workers benefiting from the tax relief and freedoms in this Act.

(b) **Protections.** Notwithstanding any other provision of law, and consistent with Texas at-will employment principles:

No private employer may discharge, discipline, discriminate against, or refuse to hire an individual solely on the basis of the individual's lawful off-duty possession, use, cultivation, or purchase of cannabis in compliance with this Act.

Employers retain full authority to:

- Prohibit cannabis use or impairment during working hours or on employer property.
- Require reasonable suspicion or post-accident testing for impairment.
- Enforce stricter policies for bona fide safety-sensitive positions (defined by the administering agency, including roles involving commercial vehicles, heavy machinery, law enforcement, or direct patient care where impairment poses clear risk).

A positive test for cannabis metabolites, without evidence of current impairment, shall not constitute grounds for adverse action under this section.

(c) **Enforcement and Remedies.** An aggrieved individual may file a civil action in a Texas district court seeking injunctive relief, reinstatement, back wages, damages, and reasonable attorney's fees. The employer bears the burden of proving the adverse action was based on lawful grounds unrelated to compliant cannabis use.

(d) **Exceptions.** This section does not apply to:

- Federal government employers or positions governed by federal drug-free workplace requirements.
- Employers subject to federal contracts or regulations mandating drug testing.

(e) **Implementation.** The Cannabis Control Commission (or designated agency) shall issue interpretive guidance within 180 days and may adopt rules to facilitate compliance. Employers may seek voluntary certification for policies aligned with this section.

(f) **Severability.** If any part of this section is invalidated, the remainder of the Act remains in full force.

Effective Date and Timeline

Filed Day 1 of administration (January 20 following election victory). First licenses and water centers online Q2–Q3 following filing. Full network rollout by end of second year post-filing. Rebates align with tax elimination goals.

Revenue-positive | School-fund positive | Farmer-first | Veteran-first | Texas Sovereignty-first | Second Amendment Protected | Jobs Protected

“Cultivating A Better Texas”

Kenneth Hyde

Republican Candidate for Governor of Texas 2030

“Reclaim 1836: Cultivating A Stronger, Freer Texas”

Sources: UH Hobby School poll (Jan 2025); Whitney Economics 2025; DPS HB 46 updates (Dec 2025–April 2026); Hyde ***Freedom Fund*** model (KennethHyde4TxGov.com)