

BILL ANALYSIS

C.S.H.B. 1324
By: Betty Brown
Agriculture & Livestock
Committee Report (Substituted)

BACKGROUND AND PURPOSE

There is no current state law prohibiting equine slaughter, however current statute prohibits the sale of horsemeat for human consumption. Horsemeat produced by equine slaughter facilities in Texas is sold for human consumption outside the United States. Some feel that because the horsemeat is being sold for human consumption outside the United States, it is an issue of international trade in which the state has no jurisdiction. However, in 2002 the Office of the Texas Attorney General issued an opinion that Chapter 149 of the Texas Agriculture Code prohibits the processing, possession, sale, or transportation of horsemeat for sale for human consumption even if the human consumption will occur in foreign countries.

C.S.H.B. 1324 amends the Agriculture Code to allow the sale of horsemeat for human consumption if that consumption occurs outside the United States. The bill also requires the owner or operator of a livestock market to post a sign in a prominent place acknowledging that the animal may go to slaughter.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the Texas Department of Agriculture, in SECTION 2 (Sec. 146.009) of this bill.

ANALYSIS

C.S.H.B. 1324 amends the Agriculture Code to make it clear that the sale of horsemeat is illegal for the purpose of human consumption in the United States. The bill defines "equine animal," and "livestock market" for the purposes of the notification section of the bill. The bill requires the owner or operator of a livestock market to display a sign in a prominent place stating that an equine animal sold at market may be bought for slaughter.

The bill repeals Section 149.004, Agriculture Code, relating to the prima facie evidence of an offense of the sale of horsemeat for human consumption.

EFFECTIVE DATE

September 1, 2003.

COMPARISON OF ORIGINAL TO SUBSTITUTE

C.S.H.B. 1324 modifies the original by replacing the consent form clause with a requirement to post a sign at livestock markets giving notice that an equine animal sold at the market may be bought for slaughter. C.S.H.B. 1324 also removes criminal penalties associated with the consent form clause.

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