

BILL ANALYSIS

Senate Research Center

H.B. 2328
By: McReynolds (Staples)
Natural Resources
5/13/2003
Engrossed

DIGEST AND PURPOSE

Currently the Texas Animal Health Commission (TAHC) is responsible for protecting all livestock, domestic animals, and domestic fowl from communicable diseases recognized by the veterinary profession. Texas is currently experiencing problems with diseases in poultry. H.B. 2328 allows TAHC to regulate poultry sellers, distributors, or transporters who do not participate in disease surveillance programs recognized by TAHC.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the Texas Animal Health Commission in SECTION 1 (Section 161.0411, Agriculture Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter C, Chapter 161, Agriculture Code, by adding Section 161.0411, as follows:

Sec. 161.0411. DOMESTIC AND EXOTIC FOWL REGISTRATION. (a) Requires a seller, distributor, or transporter of live domestic or exotic fowl in this state to register with the Texas Animal Health Commission (TAHC) under this section. Authorizes TAHC to exempt from registration a person participating in a disease surveillance program recognized by TAHC.

(b) Authorizes a person to apply for a certificate of registration or a renewal of a certificate of registration under this section by submitting an application and an annual fee prescribed by TAHC. Requires a person to complete an application for a certificate of registration that includes a list of each location at which the person conducts the sale, distribution, or transportation of domestic or exotic fowl.

(c) Requires TAHC to adopt rules to administer this section, including rules relating to the testing, identification, transportation, inspection, sanitation, and disinfection of domestic and exotic fowl.

(d) Requires TAHC to prescribe and collect an annual fee for registration as a seller, distributor, or transporter of domestic or exotic fowl in this state.

(e) Authorizes TAHC to set fees under this section in amounts that do not exceed the amounts necessary to enable TAHC to recover the costs of administering this section.

(f) Provides that a person commits an offense if the person knowingly violates this section or fails to comply with an order or rule adopted under this section.

(g) Provides that an offense under this section is a Class C misdemeanor unless it is shown on the trial of the offense that the defendant has been previously convicted under this section, in which event the offense is a Class B misdemeanor.

SECTION 2. Requires TAHC, not later than January 1, 2004, to adopt rules to administer Section 161.0411, Agriculture Code, as added by this Act.

SECTION 3. Effective date: upon passage or September 1, 2003.