

BILL ANALYSIS

C.S.H.B. 2328
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Agriculture & Livestock
Committee Report (Substituted)

BACKGROUND AND PURPOSE

The Texas Animal Health Commission(Commission) is responsible for protecting all livestock, domestic animals, and domestic fowl from communicable diseases recognized by the veterinary profession. The State of Texas is currently experiencing a severe problem with diseases in poultry. Avian Influenza and Exotic Newcastle Disease are threatening the poultry industry of Texas. C.S.H.B. 2328 allows the Texas Animal Health Commission to regulate poultry sellers, distributors, or transporters who do not participate in disease surveillance programs recognized by the Commission.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the Texas Animal Health Commission in SECTION 1 (Sec. 161.0411, Agriculture Code) of this bill.

ANALYSIS

C.S.H.B. 2328 amends the Agriculture Code by adding a new section titled "Domestic and Exotic Fowl Registration." The bill requires a seller, distributor, or transporter of live domestic or exotic fowl to register annually with the Texas Animal Health Commission (Commission) . The bill allows for an exemption for those participating in a disease surveillance program. The Commission shall adopt rules, prescribe and collect fees to administer the registration process. The substitute sets forth penalties for failure to comply with the registration rules adopted by the Commission. The Commission shall adopt rules to administer the registration program no later than January 1, 2004.

EFFECTIVE DATE

September 1, 2003, except that Sections 161.0411 (a), (f), and (g), Agriculture Code, as added by this Act, take effect February 1, 2004.

COMPARISON OF ORIGINAL TO SUBSTITUTE

The substitute modifies the original granting the Animal Health Commission the authority to exempt a person who participates in a disease surveillance programs. The original states that the applicable section does not apply to a person participating in disease surveillance programs. The original bill states a person shall apply for a certificate or renewal of registration. The substitute changes the "shall" to "may" in Sec. 161.0411(b).