

BILL ANALYSIS

Senate Research Center
78R11769 BDH-F

H.B. 3061
By: Flores (Hinojosa)
Natural Resources
5/21/2003
Engrossed

DIGEST AND PURPOSE

Currently, Texas does not address the transportation and disposal of animal remains across county lines even though countless animal-carried diseases plague Texas counties.

H.B. 3061 places authority to regulate matters concerning the disposal of animal carcasses jointly with the Texas Commission on Environmental Quality and the Texas Animal Health Commission and prohibits the transportation of animal remains across county lines for the purpose of disposal.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 161.004, Agriculture Code, as follows:

- (a) Subsection created from existing text.
- (b) Prohibits the Texas Commission on Environmental Quality (TCEQ) from adopting a rule related to the disposal of livestock under this section unless the rule is developed in cooperation with and is approved by the Texas Animal Health Commission (TAHC).

SECTION 2. Amends Section 161.0415, Agriculture Code, by adding Subsection (d) to prohibit TCEQ from adopting a rule related to the disposal of livestock under this section unless the rule is developed in cooperation with and is approved by TAHC.

SECTION 3. Amends Sections 801.361(a) and (b), Occupations Code, as follows:

- (a) Authorizes a veterinarian, to the extent consistent with rules adopted by TCEQ under Subsection (b), to dispose of the remains of an animal by burial or burning if certain conditions apply.
- (b) Prohibits TCEQ, notwithstanding any other law, from adopting a rule related to the disposal of livestock under this section unless the rule is developed in cooperation with and is approved by the TAHC. Deletes text relating to prohibiting the Texas Natural Resource Conservation Commission from adopting a rule that prohibits conduct authorized by this section.

SECTION 4. Effective date: upon passage or September 1, 2003.