

BILL ANALYSIS

C.S.H.B. 3061
By: Flores
Agriculture & Livestock
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Currently, Texas does not address the transportation and disposal of animal remains across county lines. Because countless animal-carried diseases plague Texas counties yearly, and in an effort to combat the potential spread of diseases, legislation is necessary to ensure that animal and public-health experts have authority to regulate this area of health concerns and health prevention.

The purpose of C.S.H.B. 3061 is to place 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 to prohibit the transportation of animal remains across county lines for the purpose of disposal.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the Texas Animal Health Commission and the Texas Commission on Environmental Quality in SECTION 1 (Sec. 161.004 , Agriculture Code), SECTION 2 (Sec. 161.0415, Agriculture Code) and SECTION 3 (Sec. 801.361, Occupations Code) of this bill.

ANALYSIS

C.S.H.B. 3061 amends the Agriculture Code to require the Texas Commission on Environmental Quality (TCEQ) to seek the advice and approval of the Texas Animal Health Commission regarding the proposal and administration of rules on the disposal of animal remains. Similarly, the bill makes a conforming change by amending the Occupation Code to require TCEQ to seek the advice and approval of the Texas Animal Health Commission regarding the proposal and administration of rules on the disposal of animal remains. Lastly, the bill allows veterinarians, consistent with rules adopted by (TCEQ), to dispose of animal remains by burial or burning only in the county in which the remains are discovered.

EFFECTIVE DATE

Upon passage, or, if the Act does not receive the necessary vote, the Act takes effect September 1, 2003.

COMPARISON OF ORIGINAL TO SUBSTITUTE

The substitute adds cleanup language to the bill, providing conforming language in an additional section of the Agriculture Code that was left out in the filed version of the bill as it relates to the dual role in the rulemaking authority. The substitute deletes language prohibiting veterinarians to charge for the burning or burial service of the animal remains.