

BILL ANALYSIS

S.B. 970
By: Shapleigh
Agriculture & Livestock
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Currently, the West Texas desert area is a prime target for the illegal harvesting of cacti and other succulents, which may damage the desert ecosystem if certain actions are not taken. S.B. 970 directs the Texas Department of Agriculture to administer and adopt rules necessary to enforce a system of inspections to ensure that each desert plant sold in or leaving Texas has been legally harvested.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the Texas Department of Agriculture in SECTION 1, Sec. 122.002, of this bill.

ANALYSIS

S.B. 970 requires growers or harvesters of desert plants to register with the Department of Agriculture (TDA). TDA is required to administer and adopt rules necessary for enforcement of registration requirements. TDA may charge a fee for providing an identification mark for the desert plants. TDA may issue and enforce a stop-sale order to stop the sale of unmarked desert plants. The bill establishes penalties if a person advertises, sells, or ships unmarked desert plants.

EFFECTIVE DATE

January 1, 2004.