

## **BILL ANALYSIS**

Senate Research Center

C.S.S.B. 1389  
By: Duncan  
Natural Resources  
4/16/2003  
Committee Report (Substituted)

### **DIGEST AND PURPOSE**

C.S.S.B. 1389 amends provisions of the Agriculture Code relating to livestock branding and identification.

### **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 1.003, Agriculture Code, by adding Subdivision (3), to define “livestock.”

SECTION 2. Amends Section 46.002, Agriculture Code, to redefine “Texas agriculture product.”

SECTION 3. Amends Section 144.001(a), Agriculture Code, to provide that each person who has cattle, hogs, sheep, or goats shall have and may use one or more earmarks; one or more brands; one or more tattoos used in place of a brand; or one or more electronic devices used in place of a brand differing from the earmarks, brands, tattoos, and devices of the person’s neighbors.

SECTION 4. Amends Chapter 144.041, Agriculture Code, by amending Subsection (a) and adding Subsection (f), as follows:

(a) Makes conforming changes.

(f) Requires a county clerk, not later than the 30th day after the date a county clerk receives a record pertaining to cattle under this section, to forward a copy of the record to the association authorized to inspect livestock under 7 U.S.C. Section 217a.

SECTION 5. Amends Section 144.042, Agriculture Code, as follows:

Sec. 144.042. RECORDING. Requires the county clerk, in recording a mark, device, tattoo or brand, to note the date on which the mark or brand is recorded. Makes conforming changes.

SECTION 6. Amends Section 144.044, Agriculture Code, by adding Subsection (d) to require a county clerk to forward a copy of the record to the association authorized to inspect livestock under 7 U.S.C. Section 217a, not later than the 30th day after the date the clerk received a record under this section.

SECTION 7. Amends Section 148.011(a), Agriculture Code, to require a slaughterer, in accordance with this section, to keep a record of all livestock purchased or slaughtered.

SECTION 8. Amends Section 1.101(4), Parks and Wildlife Code, to redefine “wild.”

SECTION 9. Repealer: Section 53.001(3), 142.001(2), Section 144.123 (Marking or Branding Outside Pen), Section 144.126 (Driving Cattle Without Road Brand), Section 146.002, Section 147.001(2), Section 161.001(a)(3); and Subchapters B and D, Chapter 144, and Subchapter C, Chapter 146, Agriculture Code.

SECTION 10. Makes application of this Act prospective.

SECTION 11. Effective date: September 1, 2003.