

BILL ANALYSIS

S.B. 1413
By: Deuell
Agriculture & Livestock
Committee Report (Amended)

BACKGROUND AND PURPOSE

Currently, the Agriculture Code has several duplicative and outdated provisions relating to the Texas Department of Agriculture (“Department”). Some of the duties allocated to the Department by statute are currently conducted under the Department’s general authority, and other Department duties are handled by other state agencies or by federal agencies. S.B. 1413 repeals many duplicative and outdated provisions from the Agriculture Code.

RULEMAKING AUTHORITY

It is the Committee’s opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

S.B. 1413 repeals the following provisions of the Agriculture Code:

Section 12.004 requiring the Department to conduct farmers’ institutes;

Section 12.008 requiring the Department to investigate and report on grasses, forestry, and tree planting;

Section 12.009 requiring the Department to investigate and report on breeding and raising livestock, sheep, poultry, and bees; to investigate the culture and manufacturing of silk; and to encourage the raising of cultured species and the development of aquaculture industry;

Section 12.030 requiring the Department to encourage and assist in the creation and operations of shared foreign sales corporations in the same manner as the Texas Department of Commerce;

Section 13.005 requiring the Department to investigate conditions regarding weights and measures;

Section 13.006 requiring the Department to maintain records of reports of county and local sealers of weights and measures;

Section 13.103 requiring the Department to inspect water, gas, or electric meters upon user complaint or as needed;

Section 13.105 relating to county sealers;

Section 13.106 relating to local sealers;

Section 13.107 relating to sealers for more than one political subdivision;

Section 13.108(b) and (c) relating to powers and duties of sealers;

Section 15.004 requiring the Department and the Texas Department of Health to adopt an interagency agreement for the implementation of a special nutrition program through farmers' markets;

Chapter 53 authorizing the formation of financial pools by certain agricultural producers;

Section 77.004 requiring county commissioners courts to obtain Department approval before implementing an imported fire ant eradication or control program;

Section 77.005 relating to federally funded and approved fire ant control programs;

Chapter 96 requiring the Department to establish grain sampling standards for grading purposes;

Chapter 104 relating to state marketing orders;

Chapter 145 authorizing the Department to grade living livestock at the request of an owner or a cooperative marketing association;

Chapter 252 establishing the Family Farm and Ranch Advisory Council and loan guarantee program to assist in the purchase of farm and ranch real estate.

The bill amends Sections 13.109, 13.110 and 13.122 to reflect the repeal of the above sections.

The bill abolishes the farm and ranch loan security fund.

EFFECTIVE DATE

September 1, 2003.

EXPLANATION OF AMENDMENT

Committee Amendment No. 1 allows the Texas Department of Agriculture to share export pen space with Mexican veterinarians for inspections of processed animal products and to charge a fee that will raise approximately \$78,000 per year for the agency.

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