

By: Brown of Kaufman, Geren, Miller

H.B. No. 1324

Substitute the following for H.B. No. 1324:

By: Swinford

C.S.H.B. No. 1324

A BILL TO BE ENTITLED

AN ACT

relating to the sale and slaughter of equine animals.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Sections 149.002 and 149.003, Agriculture Code, are amended to read as follows:

Sec. 149.002. SALE OR POSSESSION OF HORSEMEAT. A person commits an offense if:

(1) the person sells, offers for sale, or exhibits for sale horsemeat as food for human consumption in the United States; or

(2) the person possesses horsemeat with the intent to sell the horsemeat as food for human consumption in the United States.

Sec. 149.003. TRANSFER OF HORSEMEAT. A person commits an offense if the person:

(1) transfers horsemeat to a person who intends to sell the horsemeat, offer or exhibit it for sale, or possess it for sale as food for human consumption in the United States; and

(2) knows or in the exercise of reasonable discretion should know that the person receiving the horsemeat intends to sell the horsemeat, offer or exhibit it for sale, or possess it for sale as food for human consumption in the United States.

SECTION 2. Subchapter A, Chapter 146, Agriculture Code, is amended by adding Section 146.009 to read as follows:

1 Sec. 146.009. SALE OF EQUINE ANIMAL; NOTICE REQUIRED. (a)

2 In this section:

3 (1) "Equine animal" has the meaning assigned by
4 Section 161.149.

5 (2) "Livestock market" has the meaning assigned by
6 Section 161.111.

7 (b) The owner or operator of a livestock market shall
8 display in a prominent place in the livestock market a sign giving
9 notice that an equine animal sold at the market may be bought for
10 slaughter. The department by rule may prescribe the design or
11 wording of the sign.

12 SECTION 3. Section 149.004, Agriculture Code, is repealed.

13 SECTION 4. (a) The change in law made by this Act applies
14 only to an offense committed on or after the effective date of this
15 Act. For purposes of this section, an offense is committed before
16 the effective date of this Act if any element of the offense occurs
17 before the effective date.

18 (b) An offense committed before the effective date of this
19 Act is governed by the law in effect when the offense was committed,
20 and the former law is continued in effect for that purpose.

21 SECTION 5. This Act takes effect September 1, 2003.