

By: Brown of Kaufman

H.B. No. 1324

A BILL TO BE ENTITLED

AN ACT

relating to the sale and slaughter of equine animals; providing a criminal penalty.

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

1 amended by adding Section 146.009 to read as follows:

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

3 In this section:

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

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

8 (b) The owner or operator of a livestock market shall  
9 require that any person who sells an equine animal directly or on  
10 consignment at the market sign an acknowledgment form stating that  
11 an equine animal sold at the market may be bought for slaughter.  
12 The owner or operator may incorporate the acknowledgement form into  
13 any other forms a person is required to sign before selling an  
14 equine animal at the market.

15 (c) An owner or operator of a livestock market commits an  
16 offense if the owner or operator violates this section.

17 (d) An offense under Subsection (c) is a Class C  
18 misdemeanor.

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 Section 149.004, Agriculture Code, is repealed.

20 SECTION 4. (a) The change in law made by this Act applies  
21 only to an offense committed on or after the effective date of this  
22 Act. For purposes of this section, an offense is committed before  
23 the effective date of this Act if any element of the offense occurs  
24 before the effective date.

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

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