

AN ACT

relating to the registration of persons engaged in certain fowl operations; providing a criminal penalty.

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

SECTION 1. Subchapter C, Chapter 161, Agriculture Code, is amended by adding Section 161.0411 to read as follows:

Sec. 161.0411. DOMESTIC AND EXOTIC FOWL REGISTRATION. (a)

A seller, distributor, or transporter of live domestic or exotic fowl in this state shall register with the commission under this section. The commission may exempt from registration a person participating in a disease surveillance program recognized by the commission.

(b) A person may apply for a certificate of registration or a renewal of a certificate of registration under this section by submitting an application and an annual fee prescribed by the commission. A person must complete an application for a certificate of registration that includes a list of each location at which the person conducts the sale, distribution, or transportation of domestic or exotic fowl.

(c) The commission shall adopt rules to administer this section, including rules relating to the testing, identification, transportation, inspection, sanitation, and disinfection of domestic and exotic fowl.

(d) The commission shall prescribe and collect an annual fee

1 for registration as a seller, distributor, or transporter of
2 domestic or exotic fowl in this state.

3 (e) The commission may set fees under this section in
4 amounts that do not exceed the amounts necessary to enable the
5 commission to recover the costs of administering this section.

6 (f) A person commits an offense if the person knowingly
7 violates this section or fails to comply with an order or rule
8 adopted under this section.

9 (g) An offense under this section is a Class C misdemeanor
10 unless it is shown on the trial of the offense that the defendant
11 has been previously convicted under this section, in which event
12 the offense is a Class B misdemeanor.

13 SECTION 2. Not later than January 1, 2004, the Texas Animal
14 Health Commission shall adopt rules to administer Section 161.0411,
15 Agriculture Code, as added by this Act.

16 SECTION 3. This Act takes effect immediately if it receives
17 a vote of two-thirds of all the members elected to each house, as
18 provided by Section 39, Article III, Texas Constitution. If this
19 Act does not receive the vote necessary for immediate effect, this
20 Act takes effect September 1, 2003.

President of the Senate

Speaker of the House

I certify that H.B. No. 2328 was passed by the House on April 30, 2003, by the following vote: Yeas 135, Nays 0, 2 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 2328 was passed by the Senate on May 27, 2003, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor