

1-1 By: McReynolds, et al. (Senate Sponsor - Staples) H.B. No. 2328
1-2 (In the Senate - Received from the House May 1, 2003;
1-3 May 7, 2003, read first time and referred to Committee on Natural
1-4 Resources; May 19, 2003, reported favorably by the following vote:
1-5 Yeas 9, Nays 0; May 19, 2003, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to the registration of persons engaged in certain fowl
1-9 operations; providing a criminal penalty.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Subchapter C, Chapter 161, Agriculture Code, is
1-12 amended by adding Section 161.0411 to read as follows:

1-13 Sec. 161.0411. DOMESTIC AND EXOTIC FOWL REGISTRATION. (a)
1-14 A seller, distributor, or transporter of live domestic or exotic
1-15 fowl in this state shall register with the commission under this
1-16 section. The commission may exempt from registration a person
1-17 participating in a disease surveillance program recognized by the
1-18 commission.

1-19 (b) A person may apply for a certificate of registration or
1-20 a renewal of a certificate of registration under this section by
1-21 submitting an application and an annual fee prescribed by the
1-22 commission. A person must complete an application for a
1-23 certificate of registration that includes a list of each location
1-24 at which the person conducts the sale, distribution, or
1-25 transportation of domestic or exotic fowl.

1-26 (c) The commission shall adopt rules to administer this
1-27 section, including rules relating to the testing, identification,
1-28 transportation, inspection, sanitation, and disinfection of
1-29 domestic and exotic fowl.

1-30 (d) The commission shall prescribe and collect an annual fee
1-31 for registration as a seller, distributor, or transporter of
1-32 domestic or exotic fowl in this state.

1-33 (e) The commission may set fees under this section in
1-34 amounts that do not exceed the amounts necessary to enable the
1-35 commission to recover the costs of administering this section.

1-36 (f) A person commits an offense if the person knowingly
1-37 violates this section or fails to comply with an order or rule
1-38 adopted under this section.

1-39 (g) An offense under this section is a Class C misdemeanor
1-40 unless it is shown on the trial of the offense that the defendant
1-41 has been previously convicted under this section, in which event
1-42 the offense is a Class B misdemeanor.

1-43 SECTION 2. Not later than January 1, 2004, the Texas Animal
1-44 Health Commission shall adopt rules to administer Section 161.0411,
1-45 Agriculture Code, as added by this Act.

1-46 SECTION 3. This Act takes effect immediately if it receives
1-47 a vote of two-thirds of all the members elected to each house, as
1-48 provided by Section 39, Article III, Texas Constitution. If this
1-49 Act does not receive the vote necessary for immediate effect, this
1-50 Act takes effect September 1, 2003.

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