

By: Rose

H.B. No. 168

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the implementation of animal identification programs  
3 and the identification and tracking of exotic livestock and exotic  
4 fowl.

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

6 SECTION 1. Section 161.056, Agriculture Code, is amended to  
7 read as follows:

8 Sec. 161.056. ~~[ANIMAL]~~ IDENTIFICATION OF EXOTIC LIVESTOCK  
9 AND EXOTIC FOWL [PROGRAM]. ~~[(a) In order to provide for disease~~  
10 ~~control and enhance the ability to trace disease-infected animals~~  
11 ~~or animals that have been exposed to disease, the commission may~~  
12 ~~develop and implement an animal identification program that is~~  
13 ~~consistent with the United States Department of Agriculture's~~  
14 ~~National Animal Identification System.~~

15 ~~[(b) The commission may recognize the following as official~~  
16 ~~identification numbers in the state:~~

17 ~~[(1) premises identification numbers assigned to each~~  
18 ~~geographically unique location associated with animal agriculture,~~

19 ~~[(2) individual animal identification numbers, and~~

20 ~~[(3) group identification numbers.~~

21 ~~[(c) The commission may require the use of official~~  
22 ~~identification numbers assigned as part of the animal~~  
23 ~~identification program for animal disease control, animal~~  
24 ~~emergency management, and other commission programs.~~

1           ~~[(d) The commission may establish a date by which all~~  
2 ~~premises must be registered and may assess a registration fee on all~~  
3 ~~entities that register for a premises identification number.~~

4           ~~[(e) Information collected by the commission under this~~  
5 ~~section is exempt from the public disclosure requirements of~~  
6 ~~Chapter 552, Government Code. The commission may provide~~  
7 ~~information to another person, including a governmental entity,~~  
8 ~~without altering the confidential status of the information. The~~  
9 ~~commission may release information to:~~

10           ~~[(1) a person who owns or controls animals and seeks~~  
11 ~~information regarding those animals, if the person requests the~~  
12 ~~information in writing,~~

13           ~~[(2) the attorney general's office, for the purpose of~~  
14 ~~law enforcement,~~

15           ~~[(3) the secretary of the United States Department of~~  
16 ~~Agriculture, for the purpose of animal health protection,~~

17           ~~[(4) the secretary of the Department of Homeland~~  
18 ~~Security, for the purpose of homeland security,~~

19           ~~[(5) the Department of State Health Services, for the~~  
20 ~~purpose of protecting the public health from zoonotic diseases,~~

21           ~~[(6) any person, under an order of a court of competent~~  
22 ~~jurisdiction,~~

23           ~~[(7) a state, municipal, or county emergency~~  
24 ~~management authority, for the purpose of management or response to~~  
25 ~~natural or man-made disasters, or~~

26           ~~[(8) any person the executive director of the~~  
27 ~~commission considers appropriate, if the executive director~~

1 ~~determines that:~~

2 ~~[(A) livestock may be threatened by a disease,~~  
3 ~~agent, or pest, and~~

4 ~~[(B) the release of the information is related to~~  
5 ~~actions the commission may take under this section.~~

6 ~~[(f) Notwithstanding Subsection (e), the commission shall~~  
7 ~~release information collected under this section if the release is~~  
8 ~~necessary for emergency management purposes under Chapter 418,~~  
9 ~~Government Code. The release of information under this subsection~~  
10 ~~does not alter the confidential status of the information.~~

11 ~~[(g) A person commits an offense if the person fails to~~  
12 ~~comply with an order or rule adopted under this section.~~

13 ~~[(h) An offense under Subsection (g) is a Class C~~  
14 ~~misdemeanor unless it is shown on the trial of the offense that the~~  
15 ~~defendant has been convicted previously under this section, in~~  
16 ~~which case the offense is a Class B misdemeanor.~~

17 ~~[(i)]~~ The commission may adopt rules to establish a standard  
18 method for identifying and tracking exotic livestock and exotic  
19 fowl ~~[necessary to implement and enforce this section].~~

20 SECTION 2. This Act takes effect immediately if it receives  
21 a vote of two-thirds of all the members elected to each house, as  
22 provided by Section 39, Article III, Texas Constitution. If this  
23 Act does not receive the vote necessary for immediate effect, this  
24 Act takes effect September 1, 2006.