

## **BILL ANALYSIS**

S.B. 1428  
By: Duncan  
Agriculture & Livestock  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Cotton growers, in partnership with the state and federal governments, have made significant investments toward the eradication of boll weevils and pink bollworms in this state. Current Texas law requires program retention referendums in each boll weevil eradication zone every four years. There is no statewide maintenance program established under current law.

S.B. 1428 creates a statewide maintenance program for boll weevil and pink bollworm eradication to eliminate any potential areas of unexpected infestation. It also repeals the program retention referendum required in each eradication zone to only require one final referendum in each zone.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that rulemaking authority is expressly granted to the Texas Department of Agriculture and to the Texas Agriculture Commissioner in SECTION 3 of this bill.

### **ANALYSIS**

This bill recognizes the efforts that have been made to eradicate boll weevils and pink bollworms from the state and establishes a maintenance program to continue these efforts. The bill authorizes the commissioner of agriculture (commissioner) to conduct only one referendum in each zone on or after September 1, 2005, and requires the commissioner to ensure adequate notice of the referendum.

This bill also defines and establishes the maintenance program for boll weevil and pink bollworm eradication and outlines the necessary rules and fees for this maintenance program.

### **EFFECTIVE DATE**

This Act takes effect September 1, 2005.