

## **BILL ANALYSIS**

H.B. 461  
By: Miller  
Agriculture & Livestock  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

With passage of HB 1361 in 2005, the 79th Legislature authorized the Texas Animal Health Commission to develop an animal identification system similar to one being considered by the United States Department of Agriculture (USDA). The animal identification system works in three phases:

1. Registration of premises where livestock are located;
2. Registration of individual animals with a unique number for each animal; and
3. Reporting of the movement of each animal from premise to premise.

At the time HB 1361 (79R) was being considered and passed, the USDA was moving toward a mandatory animal identification system, and the Texas Animal Health Commission began adopting rules to implement a mandatory system as well. Since that time, the USDA has backed off its plans to implement a mandatory system and has instead allowed for voluntary participation. In response to privacy and private property rights concerns, the Texas Animal Health Commission agreed in 2006 to delay implementation of their mandatory system until the Legislature could reconvene and consider changes to the current statute.

HB 461 allows the Texas Animal Health Commission to continue to implement an animal identification system but on a voluntary basis only.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

HB 461 requires the Texas Animal Health Commission to only maintain a voluntary animal identification program that is consistent with the United States Department of Agriculture's National Animal Identification System. The bill also makes the use of official id numbers permissive and details that the commission can establish a date to which all participating premises be registered.

HB 461 repeals Section 161.056 (g) and (h) of the Agriculture code, which sets penalties for a person in non-compliance with the rules under the Animal Identification Program.

### **EFFECTIVE DATE**

Upon passage, or, if the Act does not receive the necessary vote, the Act takes effect September 1, 2007.