

BILL ANALYSIS

Senate Research Center

H.B. 1881
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Agriculture & Rural Affairs
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

There is a decline in the horse industry in Texas as breeders move to other states, such as Kentucky, that have incentive programs. H.B. 1881 creates a horse breeders' incentive program that would give monetary awards, based on a points system, to Texas horse owners for the participation of foals in Texas horse events. Appaloosas, paint horses, and quarter horses would be the only breeds eligible for awards. The program would be funded through a fee of at least \$30 per mare paid by stallion owners who breed six or more mares in a year. Stallion owners could opt out of paying the fee by notifying their breeder's association in writing within 30 days of the deadline to submit an annual report. Stallion owners who breed less than six mares could choose to enter the program by paying the fee. Only owners who paid the fee would be eligible for awards. Stallion owners who breed more than six mares in a year would be required to submit a copy of their annual breeding report to the Texas Department of Agriculture in conjunction with a program fee.

H.B. 1881 relates to the creation of the Texas Equine Incentive Program.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the Department of Agriculture in SECTION 1 (Section 12.044, Agriculture Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 12, Agriculture Code, by adding Section 12.044, as follows;

Sec. 12.044. EQUINE INCENTIVE PROGRAM. (a) Requires the Texas Department of Agriculture (TDA) to create and administer an equine incentive program (program) to provide an incentive for the owners of certain Texas-based horses to enter the horses as participants in horse events in this state. Authorizes the program to apply only to the following breeds of horses: Appaloosa horses, paint horses, and quarter horses.

(b) Requires the owner of a stallion that has bred more than five mares during the 12-month period preceding the report, on the filing of an annual report with the applicable breeders' association, to submit a duplicate of the report to TDA for the sixth and any subsequent mare bred by the stallion. Requires an owner required to submit a duplicate breeding report by this subsection to pay TDA a program fee in an amount of not less than \$30 per mare bred, as determined by TDA, in connection with each report submitted to TDA.

(c) Authorizes an owner required by Subsection (b) to submit a duplicate breeding report and program fee to elect not to participate in the program by giving written notice to TDA not later than the 30th day before the owner's annual breeding report is due to the applicable breeders' association.

(d) Authorizes the owner of a stallion that has bred fewer than six mares, notwithstanding Subsection (b), to elect to participate in the program by submitting a duplicate breeding report and paying the equine incentive program fee required by Subsection (b) for each mare bred by the stallion.

(e) Requires TDA by rule to provide for the use of fees collected under Subsection (b) to grant equine incentive awards to the owners of eligible foals that participate in horse events in this state. Provides that a foal is eligible for an incentive award under this section only if a program fee has been paid on behalf of the foal's dam.

(f) Requires TDA by rule to establish a point system by which the owner of an eligible foal is required to receive an equine incentive award based on the foal's participation in horse events held in this state that are sanctioned by the applicable horse breeders' association.

(g) Prohibits TDA from using more than five percent of the fees collected under Subsection (b) to administer the program.

SECTION 2. Effective date: September 1, 2009.