

By: Aycock

H.B. No. 3330

A BILL TO BE ENTITLED

AN ACT

relating to elk participating in a disease surveillance program.

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

SECTION 1. Subtitle C, Title 6, Agriculture Code, Subchapter C, Chapter 161, is amended by adding Section 161.0541 Section 161.0541 (a) Elk, being moved in commerce, in Texas, shall participate in a disease testing surveillance program administered by the Commission.

(b) Any person who possess and transports elk within the state shall test elk for CWD or other diseases as determined in accordance with standards established by the Commission.

(c) The commission shall adopt rules to administer this section, including rules relating to the testing, identification, transportation, and inspection for participants in the disease testing program.

(d) A person commits an offense if the person knowingly fails to handle elk, in accordance with rules adopted by the Commission.

(e) An offense under Subsection (d) of this section is a Class C misdemeanor unless it is shown on the trial of the offense that the defendant has been previously convicted under this section, in which event the offense is a Class B misdemeanor.

SECTION 2. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as

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1 provided by Section 39, Article III, Texas Constitution. If this
2 Act does not receive the vote necessary for immediate effect, this
3 Act takes effect September 1, 2009.