

## LEGISLATIVE BUDGET BOARD

Austin, Texas

### FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

April 17, 2009

**TO:** Honorable Craig Estes, Chair, Senate Committee on Agriculture & Rural Affairs

**FROM:** John S. O'Brien, Director, Legislative Budget Board

**IN RE: SB1779** by Hinojosa (Relating to the establishment of the official citrus producers' pest and disease management corporation; providing penalties.), **Committee Report 1st House, Substituted**

**No significant fiscal implication to the State is anticipated.**

The bill would amend the Agriculture Code to create the Texas Citrus Pest and Disease Management Corporation, Inc. The corporation would be a Texas nonprofit corporation that would be recognized by the Department of Agriculture (TDA) as the entity to plan, carry out, and operate suppression programs to manage and control the Asian citrus psyllid and citrus greening in citrus plants in Texas under the supervision of TDA.

The bill would require TDA to form advisory committees to gather advice, input, and guidance from citrus producers from the area represented by the committee concerning the interests in and concerns about the implementation of the requirements of the bill. The bill would require the Commissioner of Agriculture to conduct a referendum in each proposed pest management zone to determine whether the citrus producers want to establish a pest management zone.

The bill would require the corporation to have an annual independent audit, and would require that the audit be filed with the TDA and the State Auditors Office (SAO), and would authorize the SAO to audit the corporation.

The bill would authorize TDA, the corporation, or their designated representative to enter citrus groves or other premises to treat and monitor growing citrus or other host plants. The bill would allow TDA to destroy or treat citrus plants or hosts in pest management zones if it is determined that the action is necessary.

The bill would give TDA the authority to issue, or authorize the issuance of, a certificate that indicates that a regulated article is not infested with the Asian citrus psyllid and a permit that provides for the movement of a regulated article to a restricted destination for limited handling, use, or processing.

Based on the LBB's analysis of TDA and SAO, the duties and responsibilities associated with implementing the provisions of the bill could be accomplished by utilizing existing resources.

The bill would take effect September 1, 2009.

#### Local Government Impact

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:** 308 State Auditor's Office

**LBB Staff:** JOB, SZ, AH