

BILL ANALYSIS

C.S.H.B. 92
By: Cook
Agriculture & Livestock
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Currently, certain counties have more authority over the regulation of slaughterhouses than others. The county commissioners court in certain areas may require a slaughterer to obtain a permit from the county and may prohibit the operation of a slaughterhouse under certain circumstances. C.S.H.B. 92 seeks to expand the authority to regulate slaughterers to additional counties.

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

C.S.H.B. 92 amends the Agriculture Code to expand the definition of "slaughterer," for purposes of provisions relating to the slaughtering of livestock, meaning a person engaged in the business of selling livestock, as a primary business, to be slaughtered by the purchaser on premises owned or operated by the seller in a county that meets certain conditions, to include a person engaged in such business in a county that contains two or more municipalities with a population of 250,000 or more, in a county that is adjacent to a county that contains two or more municipalities with a population of 250,000 or more, or in a county that is adjacent to a county that is adjacent to a county that contains two or more municipalities with a population of 250,000 or more and that has a population of not more than 50,000 and contains a municipality with a population of at least 20,000, in addition to a person engaged in such business in a county with a population of one million or more.

C.S.H.B. 92 amends the Local Government Code to expand the applicability of provisions relating to county regulation of businesses and occupations regarding slaughterers to include the unincorporated area of a county that is adjacent to a county that is adjacent to a county containing two or more municipalities with a population of 250,000 or more and that has a population of not more than 50,000 and contains a municipality with a population of at least 20,000.

EFFECTIVE DATE

September 1, 2011.

COMPARISON OF ORIGINAL AND SUBSTITUTE

C.S.H.B. 92 differs from the original, in provisions expanding the definition of "slaughterer," by including a person engaged in such business in a county that contains two or more municipalities with a population of 250,000 or more, in a county that is adjacent to a county that contains two or more municipalities with a population of 250,000 or more, or in a county that is adjacent to a county that is adjacent to a county that contains two or more municipalities with a population of

250,000 or more and that has a population of not more than 50,000 and contains a municipality with a population of at least 20,000, whereas the original expanded that definition by including a person engaged in such business in a county that is adjacent to a county with a population of one million or more or that is adjacent to a county adjacent to a county with a population of one million or more.

C.S.H.B. 92 differs from the original in the provision expanding the applicability of provisions of law relating to county regulation of businesses and occupations regarding slaughterers to include the unincorporated area of a county that is adjacent to a county that is adjacent to a county containing two or more municipalities with a population of 250,000 or more by limiting the applicability of those provisions of law to such a county that has a population of not more than 50,000 and contains a municipality with a population of at least 20,000, whereas the original does not contain the condition that the county have a maximum population or contain a municipality of a minimum size.

C.S.H.B. 92 differs from the original by omitting a provision defining "operation," for purposes of provisions relating to county regulation of businesses and occupations with regard to the location of a slaughterer, to include the use of a private road by a slaughterer for ingress and egress to and from a facility owned or operated by the slaughterer.