

BILL ANALYSIS

H.B. 1992
By: Hardcastle
Agriculture & Livestock
Committee Report (Unamended)

BACKGROUND AND PURPOSE

The Texas Animal Health Commission has the authority to adopt and enforce regulations to prevent, control, and eradicate specific infectious animal diseases or pests that endanger livestock, exotic livestock, and poultry. The commission is also the primary Texas agency for addressing animal disaster issues, including animal diseases, and for ensuring consumer confidence that animals and animal products in Texas are disease-free. A healthy animal population increases the marketability and mobility of the state's livestock, from both an interstate and international perspective.

A recent recommendation would change the commission's funding structure from one that is primarily funded through the state's general revenue fund to one in which a portion of the funding comes from fees for services, a change that would require the commission to generate new fee revenue streams to fund up to approximately half of its future budgets. Currently, the commission's authority to assess fees lies primarily with inspection processes, which restricts the agency's ability to ensure fair and equitable revenue streams in the future. H.B. 1992 provides the commission with full authority to assess any appropriate fees for the services or enforcement actions the commission provides to agricultural animal industries, which will help the commission achieve the proposed change to its method of funding.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the Texas Animal Health Commission in SECTION 1 of this bill.

ANALYSIS

H.B. 1992 amends the Agriculture Code to authorize the Texas Animal Health Commission by rule to set and collect a fee for any service provided by the commission, rather than authorizing the commission to charge a fee for an inspection made by the commission, and specifies that those services provided by the commission include the inspection of animals or facilities; the testing of animals for disease; obtaining samples from animals for disease testing; disease prevention, control or eradication, and treatment efforts; services related to the transport of livestock; control and eradication of ticks and other pests; and any other service for which the commission incurs a cost. The bill makes a conforming change.

EFFECTIVE DATE

September 1, 2011.