

## **BILL ANALYSIS**

Senate Research Center  
82R10609 JXC-F

H.B. 3199  
By: Cain (Estes)  
Agriculture & Rural Affairs  
5/19/2011  
Engrossed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

The Texas Department of Agriculture (TDA) sunset bill, passed by the 81st Legislature, repealed a provision of the Agriculture Code relating to the issuance by TDA of a certificate of authority for the grading of rose plants.

TDA no longer issues these certificates, so the authorization is no longer needed. This bill would remove TDA's authorization to adopt rules and procedures related to the inspection and enforcement of rose grading requirements for all rose plants sold or offered for sale within this state.

H.B. 3199 amends current law relating to the repeal of requirements and penalties related to the grading of roses.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Repealer: Subtitle F (Production, Processing, and Sale of Nursery Products), Title 5 (Production, Processing, and Sale of Horticultural Products), Agriculture Code.

SECTION 2. Amends Section 12.20(c), Agriculture Code, to provide that certain provisions of law subject to this section and the applicable penalty amounts are amended.

SECTION 3. Makes application of this Act prospective

SECTION 4. Effective date: upon passage or September 1, 2011.