

By: Cook

H.B. No. 92

A BILL TO BE ENTITLED

AN ACT

relating to the regulation of slaughterers by certain counties.

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

SECTION 1. Section 148.001, Agriculture Code, is amended to read as follows:

Sec. 148.001. DEFINITION. In this chapter, "slaughterer" means a person engaged in the business of:

(1) slaughtering livestock for profit; or

(2) selling livestock, as a primary business, to be slaughtered by the purchaser on premises owned or operated by the seller, in a county:

(A) with a population of one million or more;

(B) that is adjacent to a county with a population of one million or more; or

(C) that is adjacent to a county described by Paragraph (B).

SECTION 2. Section 234.032, Local Government Code, is amended to read as follows:

Sec. 234.032. APPLICABILITY. This subchapter applies only in the unincorporated area of a county if the county:

(1) contains two or more municipalities with a population of 250,000 or more; ~~or~~

(2) is a county adjacent to a county described by Subdivision (1); or

1 (3) is a county adjacent to a county described by
2 Subdivision (2).

3 SECTION 3. Section 234.033, Local Government Code, is
4 amended to read as follows:

5 Sec. 234.033. LOCATION OF SLAUGHTERER. (a) In this
6 section, the term "operation" includes the use of a private road by
7 a slaughterer for ingress and egress to and from a facility owned or
8 operated by the slaughterer.

9 (b) The commissioners court of the county may prohibit the
10 operations of a slaughterer:

11 (1) within 1,000 feet of a school or residence; or

12 (2) at any other location if the commissioners court
13 finds that the operation of a slaughterer's business is
14 incompatible with the existing land use of the neighboring area or
15 would impose an undue hardship on persons residing or trading in the
16 neighboring area.

17 SECTION 4. This Act takes effect September 1, 2011.