

By: Miller of Erath

H.B. No. 334

A BILL TO BE ENTITLED

AN ACT

relating to the establishment of the Texas Livestock Care Standards
Advisory Committee.

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

SECTION 1. Subtitle B, Title 6, Agriculture Code, is
amended by adding Chapter 153 to read as follows:

CHAPTER 153. LIVESTOCK CARE STANDARDS

Sec. 153.001. PURPOSE. The purpose of the Texas Livestock
Care Standards Advisory Committee is to develop standards governing
the care and well-being of livestock and poultry.

Sec. 153.002. DEFINITION. In this chapter, "committee"
means the Texas Livestock Care Standards Advisory Committee.

Sec. 153.003. ADMINISTRATIVE SUPPORT. To the extent
resources are available, the department shall:

(1) provide administrative support, including staff,
to the committee; and

(2) publish and distribute information related to
livestock and poultry care, including educational materials, to
livestock and poultry producers and members of the public.

Sec. 153.004. COMPOSITION. (a) The Texas Livestock Care
Standards Advisory Committee is composed of the following
members:

(1) the commissioner, who serves as chair of the
committee; and

1 (2) 15 members appointed by the governor, composed of
2 the following:

3 (A) three family farmers;

4 (B) two veterinarians;

5 (C) a food safety expert;

6 (D) a representative of a local humane society;

7 (E) two members representing statewide farm
8 organizations;

9 (F) the dean of a Texas agriculture college;

10 (G) two members representing Texas consumers;
11 and

12 (H) three members from the agriculture industry.

13 (b) The 15 appointed members serve two-year terms.

14 (c) The governor shall fill any vacancy in an appointed
15 position for the remainder of the unexpired term.

16 (d) Appointments to the committee must be made without
17 regard to the race, color, disability, sex, religion, age, or
18 national origin of the appointees.

19 Sec. 153.005. REMOVAL OF COMMITTEE MEMBERS. (a) A member of
20 the committee may be removed from the committee if the member:

21 (1) is not able to devote the time necessary to perform
22 the member's duties as a member;

23 (2) cannot because of illness or disability discharge
24 the member's duties or cannot discharge those duties for a
25 substantial part of the term for which the member is appointed; or

26 (3) is absent from more than half of the regularly
27 scheduled committee meetings that the member is eligible to attend

1 during a calendar year, unless the absence is excused by a majority
2 vote of the committee.

3 (b) An action of the committee is not invalid because a
4 ground for removal of a committee member exists at the time the
5 action is taken.

6 (c) If the commissioner has knowledge that a potential
7 ground for removal of a committee member exists, the commissioner
8 shall notify the governor and attorney general of the potential
9 ground for removal.

10 Sec. 153.006. DUTIES OF COMMITTEE. (a) The committee shall
11 research and develop standards governing livestock and poultry
12 care, food safety, local food availability, food affordability, and
13 best farm management practices for animal well-being. In developing
14 those standards, the committee shall consider the following
15 factors:

16 (1) the prevention of disease;

17 (2) farm biosecurity;

18 (3) food safety;

19 (4) food production;

20 (5) generally accepted veterinary practices,
21 livestock and poultry practice standards, and ethical standards
22 established by the American Veterinary Medical Association; and

23 (6) any other factors that the committee considers
24 necessary for the proper care and well-being of livestock and
25 poultry in this state.

26 (b) The committee shall meet regularly as necessary at the
27 call of the commissioner to advise the department of its findings.

1 (c) To the extent resources are available, the department
2 shall adopt and enforce the standards.

3 Sec. 153.007. REIMBURSEMENT OF EXPENSES. A committee
4 member may not receive compensation for service on the committee.
5 Subject to availability of funds, a committee member may receive
6 reimbursement for the actual and necessary expenses incurred while
7 conducting committee business.

8 Sec. 153.008. APPLICABILITY OF OTHER LAW. Chapter 2110,
9 Government Code, does not apply to the committee.

10 SECTION 2. (a) As soon as practicable after the effective
11 date of this Act, the governor shall appoint the members of the
12 Texas Livestock Care Standards Advisory Committee established by
13 Section 153.004, Agriculture Code, as added by this Act.

14 (b) Not later than the 30th day after the date the final
15 member is appointed to the Texas Livestock Care Standards Advisory
16 Committee, the commissioner of agriculture shall call the first
17 meeting of the committee.

18 SECTION 3. This Act does not make an appropriation. A
19 provision in this Act that creates a new governmental program,
20 creates a new entitlement, or imposes a new duty on a governmental
21 entity is not mandatory during a fiscal period for which the
22 legislature has not made a specific appropriation to implement the
23 provision.

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