

1-1 By: Hegar S.B. No. 378  
1-2 (In the Senate - Filed January 19, 2011; February 2, 2011,  
1-3 read first time and referred to Committee on Agriculture and Rural  
1-4 Affairs; April 7, 2011, reported adversely, with favorable  
1-5 Committee Substitute by the following vote: Yeas 4, Nays 0;  
1-6 April 7, 2011, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 378 By: Hegar

1-8 A BILL TO BE ENTITLED  
1-9 AN ACT

1-10 relating to the date by which a pest management zone or cotton  
1-11 grower may request an extension of the cotton stalk destruction  
1-12 deadline.

1-13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-14 SECTION 1. Subsections (b) and (c), Section 74.0032,  
1-15 Agriculture Code, are amended to read as follows:

1-16 (b) If adverse weather conditions or other good cause  
1-17 exists, the administrative committee that governs the applicable  
1-18 pest management zone may request that the department grant an  
1-19 extension of the cotton stalk destruction deadline for any  
1-20 specified part of the pest management zone or for the entire pest  
1-21 management zone. A request under this subsection must be made  
1-22 within the period specified by department rule [~~not later than 10~~  
1-23 ~~business days before the applicable cotton stalk destruction~~  
1-24 ~~deadline~~]. A field is not subject to a hostable cotton fee if the  
1-25 department grants an extension of the deadline. The Texas Boll  
1-26 Weevil Eradication Foundation shall submit to the department an  
1-27 estimate of the amount by which an extension under this subsection  
1-28 will increase the cost of administering the boll weevil eradication  
1-29 program.

1-30 (c) If the applicable administrative committee does not  
1-31 request an extension, or if the department denies a request for an  
1-32 extension of the cotton stalk destruction deadline for a specified  
1-33 part of a pest management zone, a cotton grower may apply for an  
1-34 individual extension of the deadline. A request under this  
1-35 subsection must be made within the period specified by department  
1-36 rule [~~not later than 10 business days before the applicable pest~~  
1-37 ~~management zone's stalk destruction deadline~~].

1-38 SECTION 2. The changes in law made by Section 74.0032,  
1-39 Agriculture Code, as amended by this Act, apply only to a request  
1-40 for an extension made on or after the effective date of this Act. A  
1-41 request for an extension made before the effective date of this Act  
1-42 is subject to the law in effect on that date, and that law is  
1-43 continued in effect for that purpose.

1-44 SECTION 3. This Act takes effect September 1, 2011.

1-45 \* \* \* \* \*