

BILL ANALYSIS

C.S.H.B. 1081
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Agriculture & Livestock
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Interested parties contend that several years ago a number of dairy farms in El Paso County believed to have a high prevalence of bovine tuberculosis were bought out by the United States Department of Agriculture and depopulated. The parties further contend that a movement restriction zone was established in the area and that the Texas Legislature passed a certain bill prohibiting the issuance of a permit to sell milk to a person for a producer of dairy located in the movement restriction zone. The interested parties assert that, since the buyout, there has been no conclusive determination as to what caused the bovine tuberculosis cases in the area and no further investigation as to whether the area is still at a significant risk for bovine tuberculosis. C.S.H.B. 1081 seeks to address this issue by providing for a study regarding the current risk level for bovine tuberculosis in certain areas of the state.

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

C.S.H.B. 1081, in temporary provisions set to expire October 1, 2014, requires the Texas Animal Health Commission to conduct a study regarding the current risk level for bovine tuberculosis, as determined epidemiologically and defined by commission rule, in areas of Texas determined by the commission by rule to be infected with or at high risk for bovine tuberculosis.

C.S.H.B. 1081 requires the commission, not later than September 1, 2014, to submit a report regarding the results of this study to the Department of Agriculture, the governor, the lieutenant governor, and certain committees of the Texas Legislature. The bill sets out certain content requirements for the report and requires the commission to present the report regarding the results of the study as soon as practicable at an open meeting of the commission.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2013.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 1081 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and highlighted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill.

INTRODUCED	HOUSE COMMITTEE SUBSTITUTE
SECTION 1. (a) In this Act:	SECTION 1. (a) In this Act:

(1) "Commission" means the Texas Animal Health Commission.

(2) "Department" means the Department of State Health Services.

(b) The commission shall conduct a study regarding the current risk level for bovine tuberculosis, as determined epidemiologically and defined by rule of the commission, in areas of this state determined by the commission by rule to be infected with or at high risk for bovine tuberculosis.

(c) Not later than September 1, 2014, the commission shall submit a report regarding the results of the study to the Department of Agriculture, the governor, the lieutenant governor, the House Committee on Agriculture and Livestock, the Senate Committee on Agriculture, Rural Affairs, and Homeland Security, the House Committee on Public Health, and the Senate Committee on Health and Human Services. The report must include:

(1) an economic impact statement that projects the financial impact of allowing dairy farming in areas determined by the commission by rule to be infected with or at high risk for bovine tuberculosis;

(2) an assessment of the risk level for bovine tuberculosis presented by areas in Mexico bordering this state;

(3) a description of the efforts taken by the Ministry of Agriculture, Livestock, Rural Development, Fisheries and Food and other agencies of the United Mexican States to eliminate bovine tuberculosis in the state of Chihuahua and other areas;

(4) a description of the current practices adopted by the United States Department of Agriculture and the commission to eliminate bovine tuberculosis;

(5) an assessment of the risk level for bovine tuberculosis for the state if dairy farming were to occur in areas determined by the commission by rule to be infected with or at high risk for bovine tuberculosis; and

(6) an assessment of whether the areas determined by the commission by rule to be infected with or at high risk for bovine tuberculosis could be decreased in size.

(d) As soon as practicable, the commission shall present the report regarding the results

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(c) Not later than September 1, 2014, the commission shall submit a report regarding the results of the study to the Department of Agriculture, the governor, the lieutenant governor, the House Committee on Agriculture and Livestock, the Senate Committee on Agriculture, Rural Affairs, and Homeland Security, the House Committee on Public Health, and the Senate Committee on Health and Human Services. The report must include:

(1) an economic impact statement that projects the financial impact of allowing dairy farming in areas determined by the commission by rule to be infected with or at high risk for bovine tuberculosis;

(2) **to the extent possible,** an assessment of the risk level for bovine tuberculosis presented by areas in Mexico bordering this state;

(3) **to the extent possible,** a description of the efforts taken by the Ministry of Agriculture, Livestock, Rural Development, Fisheries and Food and other agencies of the United Mexican States to eliminate bovine tuberculosis in the state of Chihuahua and other areas;

(4) a description of the current practices adopted by the United States Department of Agriculture and the commission to eliminate bovine tuberculosis;

(5) an assessment of the risk level for bovine tuberculosis for the state if dairy farming were to occur in areas determined by the commission by rule to be infected with or at high risk for bovine tuberculosis; and

(6) an assessment of whether the areas determined by the commission by rule to be infected with or at high risk for bovine tuberculosis could be decreased in size.

(d) As soon as practicable, the commission shall present the report regarding the results

of the study at an open meeting of the commission.
(e) This Act expires October 1, 2014.

SECTION 2. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2013.

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SECTION 2. Same as introduced version.