

## **BILL ANALYSIS**

S.B. 1095  
By: Hinojosa  
Agriculture & Livestock  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Interested parties note that the state's cattle fever tick program was created to control and eradicate ticks capable of carrying the protozoa Babesia, which attack the host animal's red blood cells causing acute anemia and an enlarged liver and spleen. These parties contend that this disease, commonly referred to as tick fever, often results in the death of native cattle populations but that horses, white-tailed deer, and exotic animals such as nilgai, elk, and red deer can also act as hosts for the ticks. Although additional treatment methods have been developed since the creation of the fever tick program, interested parties note that dipping is the only form of treatment identified in certain statutory provisions relating to fever tick eradication. S.B. 1095 seeks to improve the fever tick program by authorizing the use of additional methods of tick eradication and by including animals, other than livestock, capable of hosting or transporting fever ticks under the program's provisions.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that rulemaking authority is expressly granted to the Texas Animal Health Commission in SECTIONS 2, 3, 8, 9, 12, 18, 22, 24, 30, and 41 of this bill.

### **ANALYSIS**

S.B. 1095 amends the Agriculture Code to broaden the scope of statutory provisions relating to tick eradication by providing for the treatment of animals, rather than for the dipping of livestock, in such provisions, which include provisions relating to general provisions, quarantines and the regulation of the movement of animals and commodities, treatment, stockyard regulation, enforcement, and penalties and which affect the rulemaking authority of the Texas Animal Health Commission. The bill defines "animal" as any domestic, free-range, or wild animal capable of hosting or transporting ticks capable of carrying Babesia, including livestock, zebras, bison, giraffes, and deer, elk, and other cervid species. The bill defines "treatment" as a procedure or management practice used on an animal to prevent the infestation of, control, or eradicate ticks capable of carrying Babesia.

S.B. 1095 removes the requirement that a certificate required for movement of goats, hogs, sheep, exotic livestock, or circus animals accompany the movement to the final destination in Texas or so long as the animals are moving through Texas. The bill requires each head of the animals submitted for movement from a quarantined enclosure to be treated as prescribed by commission rules before a certificate or permit for movement is issued if ticks are found on any of the animals, rather than require each head of livestock submitted for such movement to be dipped at certain intervals and found free from ticks at the last dipping before such a certificate or permit is issued if ticks are found on any of the livestock.

S.B. 1095 requires the commission to adopt rules as required under the bill's provisions not later than December 1, 2013.

### **EFFECTIVE DATE**

September 1, 2013.