

By: Clardy

H.B. No. 1521

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the slaughter of certain domestic or exotic fowl
3 infected with or exposed to disease and compensation of owners of
4 fowl infected with or exposed to disease.

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

6 SECTION 1. The heading to Section 161.0415, Agriculture
7 Code, is amended to read as follows:

8 Sec. 161.0415. DISPOSAL OF DISEASED OR EXPOSED LIVESTOCK OR
9 FOWL.

10 SECTION 2. Sections 161.0415(a) and (b), Agriculture Code,
11 are amended to read as follows:

12 (a) The commission by order may require the slaughter of
13 livestock, domestic fowl, or exotic fowl, under the direction of
14 the commission, or the sale of livestock, domestic fowl, or exotic
15 fowl for immediate slaughter at a public slaughtering establishment
16 maintaining federal or state inspection if the livestock, domestic
17 fowl, or exotic fowl is exposed to or infected with a disease other
18 than bluetongue or vesicular stomatitis that:

19 (1) is recognized by the United States Department of
20 Agriculture as a foreign animal disease;

21 (2) is the subject of a cooperative eradication
22 program with the United States Department of Agriculture;

23 (3) is named on "List A" of the Office International
24 Des Epizooties; or

1 (4) is the subject of a state of emergency, as declared
2 by the governor.

3 (b) The commission by order may require the slaughter and
4 disposal of livestock, domestic fowl, or exotic fowl exposed to or
5 infected with a disease not listed in Subsection (a) if the
6 commission determines that action to be necessary for the
7 protection of animal health in this state. The commission shall
8 immediately deliver a copy of an order issued under this subsection
9 to the appropriate legislative oversight committees.

10 SECTION 3. The heading to Section 161.058, Agriculture
11 Code, is amended to read as follows:

12 Sec. 161.058. COMPENSATION OF LIVESTOCK OR FOWL OWNER.

13 SECTION 4. Sections 161.058(a) and (c), Agriculture Code,
14 are amended to read as follows:

15 (a) The commission may pay an indemnity to the owner of
16 livestock, domestic fowl, or exotic fowl exposed to or infected
17 with a disease if the commission considers it necessary to
18 eradicate the disease and to dispose of the exposed or diseased
19 livestock, domestic fowl, or exotic fowl. The commission shall
20 provide the owner with information regarding available state or
21 federal indemnity funds.

22 (c) The commission may spend funds appropriated for the
23 purpose of this section only for direct payment to owners of exposed
24 or infected livestock, domestic fowl, or exotic fowl.

25 SECTION 5. This Act takes effect immediately if it receives
26 a vote of two-thirds of all the members elected to each house, as
27 provided by Section 39, Article III, Texas Constitution. If this

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1 Act does not receive the vote necessary for immediate effect, this

2 Act takes effect September 1, 2013.