

By: Kacal, Ashby, Geren

H.B. No. 2311

Substitute the following for H.B. No. 2311:

By: M. Gonzalez of El Paso

C.S.H.B. No. 2311

A BILL TO BE ENTITLED

AN ACT

relating to an animal identification program.

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

SECTION 1. Sections 161.056(a), (c), and (d), Agriculture Code, are amended to read as follows:

(a) In order to provide for disease control and enhance the ability to trace disease-infected animals or animals that have been exposed to disease, the commission may develop and implement an animal identification program that is no more stringent than a federal animal disease traceability or other federal animal identification program ~~[consistent with the United States Department of Agriculture's National Animal Identification System]~~.

(c) The commission may adopt rules to require the use of official identification ~~[numbers assigned]~~ as part of the animal identification program under Subsection (a) for animal disease control or ~~[7]~~ animal emergency management~~[, and other commission programs]~~.

(d) The commission may by a two-thirds vote adopt rules to provide for an animal identification program more stringent than a program allowed by Subsection (a) only for control of a specific animal disease or for animal emergency management ~~[establish a date by which all premises must be registered and may assess a registration fee on all entities that register for a premises~~

1 ~~identification number~~].

2       SECTION 2. Sections 161.056(b), (g), and (h), Agriculture  
3 Code, are repealed.

4       SECTION 3. (a) The changes in law made by this Act to  
5 Section 161.056, Agriculture Code, do not supersede rules of the  
6 Texas Animal Health Commission implementing an animal  
7 identification program adopted under Section 161.056, Agriculture  
8 Code, prior to the amendment of that section by this Act. Those  
9 rules are continued in effect until amended or repealed as if this  
10 Act had not been enacted, and the former law is continued in effect  
11 for that purpose.

12       (b) Rules adopted under Section 161.056, Agriculture Code,  
13 and amendments to existing rules adopted under Section 161.056,  
14 Agriculture Code, after the effective date of this Act must be made  
15 in conformity with the changes in law made by this Act.

16       SECTION 4. (a) The repeal by this Act of Section  
17 161.056(g), Agriculture Code, does not apply to an offense  
18 committed under that subsection before the effective date of this  
19 Act. For purposes of this section, an offense is committed before  
20 the effective date of this Act if any element of the offense occurs  
21 before that date.

22       (b) An offense committed before the effective date of this  
23 Act is governed by Section 161.056(g), Agriculture Code, as it  
24 existed when the offense was committed, and the former law is  
25 continued in effect for that purpose.

26       SECTION 5. This Act takes effect immediately if it receives  
27 a vote of two-thirds of all the members elected to each house, as

C.S.H.B. No. 2311

1 provided by Section 39, Article III, Texas Constitution. If this  
2 Act does not receive the vote necessary for immediate effect, this  
3 Act takes effect September 1, 2013.