

1-1 By: Kacal, et al. (Senate Sponsor - Schwertner) H.B. No. 2311  
1-2 (In the Senate - Received from the House April 29, 2013;  
1-3 April 29, 2013, read first time and referred to Committee on  
1-4 Administration; May 8, 2013, reported favorably by the following  
1-5 vote: Yeas 4, Nays 0; May 8, 2013, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7 Eltife			X	
1-8 Uresti	X			
1-9 Carona			X	
1-10 Hancock	X			
1-11 Whitmire	X			
1-12 Williams			X	
1-13 Zaffirini	X			

1-15 A BILL TO BE ENTITLED  
1-16 AN ACT

1-17 relating to an animal identification program.

1-18 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-19 SECTION 1. Sections 161.056(a), (c), and (d), Agriculture  
1-20 Code, are amended to read as follows:

1-21 (a) In order to provide for disease control and enhance the  
1-22 ability to trace disease-infected animals or animals that have been  
1-23 exposed to disease, the commission may develop and implement an  
1-24 animal identification program that is no more stringent than a  
1-25 federal animal disease traceability or other federal animal  
1-26 identification program [consistent with the United States  
1-27 Department of Agriculture's National Animal Identification  
1-28 System].

1-29 (c) The commission may adopt rules to require the use of  
1-30 official identification [numbers assigned] as part of the animal  
1-31 identification program under Subsection (a) for animal disease  
1-32 control or [7] animal emergency management[, and other commission  
1-33 programs].

1-34 (d) The commission may by a two-thirds vote adopt rules to  
1-35 provide for an animal identification program more stringent than a  
1-36 program allowed by Subsection (a) only for control of a specific  
1-37 animal disease or for animal emergency management [establish a date  
1-38 by which all premises must be registered and may assess a  
1-39 registration fee on all entities that register for a premises  
1-40 identification number].

1-41 SECTION 2. Sections 161.056(b), (g), and (h), Agriculture  
1-42 Code, are repealed.

1-43 SECTION 3. (a) The changes in law made by this Act to  
1-44 Section 161.056, Agriculture Code, do not supersede rules of the  
1-45 Texas Animal Health Commission implementing an animal  
1-46 identification program adopted under Section 161.056, Agriculture  
1-47 Code, prior to the amendment of that section by this Act. Those  
1-48 rules are continued in effect until amended or repealed as if this  
1-49 Act had not been enacted, and the former law is continued in effect  
1-50 for that purpose.

1-51 (b) Rules adopted under Section 161.056, Agriculture Code,  
1-52 and amendments to existing rules adopted under Section 161.056,  
1-53 Agriculture Code, after the effective date of this Act must be made  
1-54 in conformity with the changes in law made by this Act.

1-55 SECTION 4. (a) The repeal by this Act of Section  
1-56 161.056(g), Agriculture Code, does not apply to an offense  
1-57 committed under that subsection before the effective date of this  
1-58 Act. For purposes of this section, an offense is committed before  
1-59 the effective date of this Act if any element of the offense occurs  
1-60 before that date.

1-61 (b) An offense committed before the effective date of this

2-1 Act is governed by Section 161.056(g), Agriculture Code, as it  
2-2 existed when the offense was committed, and the former law is  
2-3 continued in effect for that purpose.

2-4 SECTION 5. This Act takes effect immediately if it receives  
2-5 a vote of two-thirds of all the members elected to each house, as  
2-6 provided by Section 39, Article III, Texas Constitution. If this  
2-7 Act does not receive the vote necessary for immediate effect, this  
2-8 Act takes effect September 1, 2013.

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