

By: Darby

H.B. No. 2778

A BILL TO BE ENTITLED

AN ACT

relating to the official cotton growers boll weevil eradication foundation.

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

SECTION 1. Section 74.202(b), Agriculture Code, is amended to read as follows:

(b) An eradication zone is eligible for inclusion in a maintenance area if:

(1) the commissioner determines that the boll weevil has been functionally eradicated in that zone;

(2) the zone has satisfied any debt owed to the foundation;

(3) the cotton grower steering committee has been consulted regarding ~~[requests]~~ the inclusion of the zone in a maintenance area; and

(4) the foundation requests the inclusion of the zone in a maintenance area.

SECTION 2. Section 74.203(b), Agriculture Code, is amended to read as follows:

(b) The maintenance fee must be collected on a per-acre or per-bale basis at a rate to be set by the commissioner after receiving a recommendation from the board. The board shall consult with cotton grower steering committees ~~[and the technical advisory committee]~~ in formulating a recommendation to the commissioner

1 under this subsection. The commissioner may accept, reject, or
2 modify a board recommendation.

3 SECTION 3. Subchapter F, Chapter 74, Agriculture Code, is
4 amended by adding Section 74.2035 to read as follows:

5 Sec. 74.2035. TRANSFER OF FUNDS BETWEEN ERADICATION ZONES
6 AND MAINTENANCE AREAS. Notwithstanding any provision of this
7 subchapter or Subchapter D, with the approval of the board and the
8 commissioner, the foundation may transfer funds, including the
9 proceeds from the collection of assessments or maintenance fees,
10 between eradication zones and maintenance areas as needed to
11 fulfill the purposes of this subchapter and Subchapter D. The board
12 shall consult with affected cotton grower steering committees
13 before recommending that the commissioner approve the transfer of
14 funds under this section.

15 SECTION 4. Section 74.1135(b), Agriculture Code, is
16 repealed.

17 SECTION 5. Section 74.2035, Agriculture Code, as added by
18 this Act, applies to the transfer of funds by the Texas Boll Weevil
19 Eradication Foundation without regard to whether the funds consist
20 of assessments or maintenance fees collected before, on, or after
21 the effective date of this Act.

22 SECTION 6. This Act takes effect September 1, 2013.