

1-1 By: Hinojosa S.B. No. 1095
1-2 (In the Senate - Filed March 5, 2013; March 12, 2013, read
1-3 first time and referred to Committee on Agriculture, Rural Affairs,
1-4 and Homeland Security; April 11, 2013, reported favorably by the
1-5 following vote: Yeas 4, Nays 0; April 11, 2013, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10	X			
1-11			X	
1-12	X			

1-13 A BILL TO BE ENTITLED
1-14 AN ACT

1-15 relating to fever tick eradication; creating a penalty.
1-16 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
1-17 SECTION 1. Section 167.001, Agriculture Code, is amended by
1-18 amending Subdivision (1) and adding Subdivisions (1-a) and (8) to
1-19 read as follows:
1-20 (1) "Animal" means any domestic, free-range, or wild
1-21 animal capable of hosting or transporting ticks capable of carrying
1-22 Babesia, including:
1-23 (A) livestock;
1-24 (B) zebras, bison, and giraffes; and
1-25 (C) deer, elk, and other cervid species.
1-26 (1-a) "Commission" means the Texas Animal Health
1-27 Commission.
1-28 (8) "Treatment" means a procedure or management
1-29 practice used on an animal to prevent the infestation of, control,
1-30 or eradicate ticks capable of carrying Babesia.
1-31 SECTION 2. Subsections (a) and (c), Section 167.003,
1-32 Agriculture Code, are amended to read as follows:
1-33 (a) In accordance with this chapter, the commission shall
1-34 eradicate all ticks capable of carrying Babesia in this state and
1-35 shall protect all land, premises, and animals [~~livestock~~] in this
1-36 state from those ticks and exposure to those ticks.
1-37 (c) The commission by rule may provide for the manner and
1-38 method of treating [~~dipping~~] saddle stock and stock used for gentle
1-39 work and for the handling and certifying of that stock for movement,
1-40 but unless the commission so provides, the stock is subject to this
1-41 chapter as other animals [~~livestock~~].
1-42 SECTION 3. Subsections (a) and (b), Section 167.004,
1-43 Agriculture Code, are amended to read as follows:
1-44 (a) If a tick is found on an animal [~~a head of livestock~~],
1-45 the following are classified as tick infested:
1-46 (1) each animal [~~head of livestock~~] that is in the same
1-47 herd or is then or thereafter on the same range or in the same
1-48 enclosure as the animal on which the tick is found; and
1-49 (2) the range or enclosure in or on which the animal is
1-50 located.
1-51 (b) The commission by rule shall define what animals and
1-52 premises are to be classified as exposed to ticks. The commission
1-53 shall classify as exposed to ticks animals [~~livestock~~] that have
1-54 been on land or in an enclosure that the commission determines to be
1-55 tick infested or exposed to ticks or to have been tick infested or
1-56 exposed to ticks before or after the removal of the animals
1-57 [~~livestock~~], unless the commission determines that the infestation
1-58 or exposure occurred after the animals [~~livestock~~] were removed and
1-59 that the animals [~~livestock~~] did not become infested or exposed
1-60 before removal.
1-61 SECTION 4. Sections 167.007 and 167.008, Agriculture Code,

2-1 are amended to read as follows:

2-2 Sec. 167.007. TICK ERADICATION IN FREE AREA. (a) The
2-3 commission may conduct tick eradication in the free area and may
2-4 establish quarantines and require the treatment of animals [~~dipping~~
2-5 ~~of livestock~~] in the free area as provided by this chapter. The
2-6 commission shall designate in writing the land or premises in the
2-7 free area in which tick eradication is to be conducted.

2-8 (b) An owner or caretaker of animals [~~livestock~~] in the free
2-9 area and the commissioners court of a county all or part of which is
2-10 located in the free area shall cooperate with the commission in the
2-11 manner provided by this chapter for tick eradication in the tick
2-12 eradication area.

2-13 Sec. 167.008. INSPECTIONS. The commission may order the
2-14 owner, part owner, or caretaker of animals [~~livestock~~] to gather
2-15 the animals [~~livestock~~] for inspection at a time and place
2-16 prescribed in the order of the commission. The commission shall
2-17 serve written notice of the order not later than the 12th day before
2-18 the day of inspection. A person on whom an order is served is
2-19 entitled to request and obtain a hearing in the manner provided by
2-20 this chapter for hearings on orders to treat animals [~~dip~~
2-21 ~~livestock~~].

2-22 SECTION 5. Subsection (a), Section 167.021, Agriculture
2-23 Code, is amended to read as follows:

2-24 (a) The commission may establish quarantines on land,
2-25 premises, and animals [~~livestock~~] as necessary for tick
2-26 eradication.

2-27 SECTION 6. Subsection (b), Section 167.022, Agriculture
2-28 Code, is amended to read as follows:

2-29 (b) A quarantine under this section has the effect of
2-30 quarantining all land, premises, and animals [~~livestock~~] in the
2-31 area quarantined, regardless of whether any person's land,
2-32 premises, or animals [~~livestock~~] are specifically described in the
2-33 quarantine order.

2-34 SECTION 7. Subsections (a) and (c), Section 167.023,
2-35 Agriculture Code, are amended to read as follows:

2-36 (a) The commission by written order may establish a
2-37 quarantine in the free area if necessary for the purpose of
2-38 regulating the handling of animals [~~livestock~~] and eradicating
2-39 ticks or exposure to ticks in the free area or for the purpose of
2-40 preventing the spread of tick infestation into the free area.

2-41 (c) The commission shall give notice of a quarantine
2-42 established in the free area by:

2-43 (1) delivering notice to each owner or caretaker of
2-44 animals [~~livestock~~] in the area to be quarantined or to each owner
2-45 or caretaker of land or premises in the area on which animals
2-46 [~~livestock~~] are located;

2-47 (2) posting written notice at the courthouse door of
2-48 each county in which the area to be quarantined is located; or

2-49 (3) publishing notice in a newspaper published in each
2-50 county in which the area to be quarantined is located.

2-51 SECTION 8. Subsections (a), (b), and (c), Section 167.024,
2-52 Agriculture Code, are amended to read as follows:

2-53 (a) Unless a person first obtains a permit or a certificate
2-54 from an authorized inspector, the person may not move animals
2-55 [~~livestock~~] in a quarantined area:

2-56 (1) from land owned, leased, or occupied by one person
2-57 into or through any other land owned, leased, or occupied by another
2-58 person; or

2-59 (2) onto any open range, public street, public road,
2-60 or thoroughfare.

2-61 (b) Unless the person first obtains a permit or a
2-62 certificate from an authorized inspector, the owner or caretaker of
2-63 animals [~~livestock~~] in a quarantined area may not move the animals
2-64 [~~livestock~~], or permit the animals [~~livestock~~] to be moved, from an
2-65 enclosure owned, leased, or occupied by that person, from any open
2-66 range, street, road, or thoroughfare, or from any land that the
2-67 person does not own or control, into any other enclosure or other
2-68 land owned, cared for, or controlled by that person, if:

2-69 (1) the animals [~~livestock~~] are subject to treatment

3-1 ~~[dipping]~~ under this chapter and the land or enclosure to which the
3-2 animals [livestock] are moved:

3-3 (A) is classified in the records of the county
3-4 supervising inspector as being free from ticks; or
3-5 (B) has been released from quarantine by the
3-6 commission; or
3-7 (2) the animals [livestock] are subject to treatment
3-8 ~~[dipping]~~ but are not being treated [dipped] under this chapter in
3-9 the conduct of regular systematic tick eradication by the
3-10 commission and the land or enclosure to which the animals
3-11 ~~[livestock]~~ are moved is owned or controlled by that person and:

3-12 (A) tick eradication work is being conducted
3-13 there; or
3-14 (B) the land or enclosure is vacated under the
3-15 direction of the commission for the purpose of tick eradication.

3-16 (c) The owner or caretaker of animals [livestock] located in
3-17 a quarantined area may move animals [livestock], or permit animals
3-18 ~~[livestock]~~ to be moved, to and from treatment facilities [dipping
3-19 vats] for the purpose of treating the animals [dipping the
3-20 livestock] on a regular treatment [dipping] date at the treatment
3-21 facility [vat] to which the animals [livestock] are to be moved or
3-22 on another date designated by the inspector in charge of the
3-23 treatment facility [vat]. The movement of animals [livestock]
3-24 under this subsection must be in accordance with the rules of the
3-25 commission. Any other movement is considered to be in violation of
3-26 the quarantine.

3-27 SECTION 9. Section 167.025, Agriculture Code, is amended to
3-28 read as follows:

3-29 Sec. 167.025. MOVEMENT IN OR FROM INACTIVE QUARANTINED
3-30 AREA. A person may not move animals [livestock] or permit animals
3-31 ~~[livestock]~~ to be moved from or within the inactive quarantined
3-32 area except in accordance with the rules of the commission.

3-33 SECTION 10. Subsections (a) and (b), Section 167.026,
3-34 Agriculture Code, are amended to read as follows:

3-35 (a) A person may not move animals [livestock], or permit
3-36 animals [livestock] of which the person is the owner, part owner, or
3-37 caretaker to be moved, into this state from an area in another
3-38 state, territory, or country that is under state or federal
3-39 quarantine for tick infestation or exposure unless the animals
3-40 ~~[livestock]~~ are accompanied by a certificate from an inspector of
3-41 the Animal and Plant Health Inspection Service, United States
3-42 Department of Agriculture.

3-43 (b) A person may not move goats, hogs, sheep, exotic
3-44 livestock, or circus animals into this state from an area of another
3-45 state, territory, or country that is under state or federal
3-46 quarantine for tick infestation unless the animals:

3-47 (1) have been treated [dipped] free from infestation
3-48 or exposure; and
3-49 (2) are certified as having been so treated by an
3-50 inspector of the commission or of the Animal and Plant Health
3-51 Inspection Service, United States Department of Agriculture.

3-52 SECTION 11. Section 167.027, Agriculture Code, is amended
3-53 to read as follows:

3-54 Sec. 167.027. PERMIT OR CERTIFICATE TO ACCOMPANY MOVEMENT.

3-55 (a) A certificate or permit required for movement of animals
3-56 ~~[livestock]~~ within or into this state must be in the possession of
3-57 the person in charge of the movement or the conveyance from the
3-58 point of origin to the point of destination. If the movement is by a
3-59 transportation company, including a railway or express company, the
3-60 certificate must be attached to the shipping papers accompanying
3-61 the movement from the point of origin to the point of destination.
3-62 On demand of an inspector, the person in charge of the movement or
3-63 conveyance shall exhibit the certificate or permit.

3-64 (b) A certificate required for movement of ~~[goats, hogs,~~
3-65 ~~sheep, exotic livestock, or circus animals, or for movement of]~~
3-66 articles listed in Section 167.026(c) ~~[of this code,]~~ must
3-67 accompany the movement to the final destination in this state or so
3-68 long as the ~~[animals or]~~ articles are moving through this state.

3-69 SECTION 12. Sections 167.028 and 167.029, Agriculture Code,

4-1 are amended to read as follows:

4-2 Sec. 167.028. STATEMENT OF POSSESSION AND DESTINATION. On
4-3 request of an inspector, the owner, part owner, or caretaker, or a
4-4 person accompanying and connected with a shipment, of animals
4-5 [~~livestock~~] that are being moved in this state or have been moved in
4-6 this state within 60 days preceding the request, shall make a
4-7 written statement of:

4-8 (1) the name of the owner or the person controlling the
4-9 land from which the shipment originated and the county in which that
4-10 land is located;

4-11 (2) the county and the particular place in that county
4-12 to which the shipment is or was destined;

4-13 (3) the name and address of the person from whom the
4-14 animals [~~livestock~~] were obtained, if the animals [~~livestock~~] were
4-15 obtained in the 30 days preceding the request, or, if the animals
4-16 [~~livestock~~] were not obtained during the 30 days preceding the
4-17 request, a statement of that fact; and

4-18 (4) the territory through which the shipment passed
4-19 since leaving the point of origin and through which the shipment is
4-20 intended to pass before reaching the point of destination.

4-21 Sec. 167.029. CONDITIONS, MANNER, AND METHOD OF MOVING AND
4-22 HANDLING. (a) The commission by rule shall provide the conditions
4-23 for and the manner and method of handling and moving animals
4-24 [~~livestock~~]:

4-25 (1) into, in, and from the tick eradication area;

4-26 (2) into, in, and from quarantined land or premises in
4-27 the free area;

4-28 (3) into the released part of the free area; and

4-29 (4) into, in, and from the inactive quarantined area.

4-30 (b) Animals [~~Livestock~~] must be certified as being free from
4-31 ticks and exposure to ticks, and must be moved to the destination
4-32 without exposure, if the animals [~~livestock~~] are to be moved:

4-33 (1) into the free area;

4-34 (2) from one county to another in the tick eradication
4-35 area; or

4-36 (3) within a county to land or premises that are
4-37 classified by the official records of the supervising inspector of
4-38 the county as being free from ticks and exposure to ticks.

4-39 (c) The commission may adopt rules relating to testing,
4-40 immunizing, treating, certifying, or marking or branding animals
4-41 [~~livestock~~] moving into this state from another state or country.

4-42 SECTION 13. Subsection (a), Section 167.030, Agriculture
4-43 Code, is amended to read as follows:

4-44 (a) A person, including a railway or transportation
4-45 company, who operates a conveyance into which animals [~~livestock~~]
4-46 are loaded shall clean and disinfect each car or other conveyance
4-47 after removal of the animals [~~livestock~~] unless the animals
4-48 [~~livestock~~] are clean and free from ticks or exposure to ticks.

4-49 SECTION 14. Sections 167.031 and 167.033, Agriculture Code,
4-50 are amended to read as follows:

4-51 Sec. 167.031. USE OF SAND AS BEDDING IN CONVEYANCE. The
4-52 commission may establish quarantines and restrict the use of sand
4-53 as bedding in an animal [~~a livestock~~] conveyance except for sand
4-54 from known tick-free sand pits.

4-55 Sec. 167.033. HANDLING AND REMOVAL OF REFUSE OR DEAD OR
4-56 INJURED ANIMALS [~~LIVESTOCK~~]. The commission may establish
4-57 quarantines and regulate the removal and handling of refuse matter
4-58 from quarantined stockyards, quarantined stock pens, and other
4-59 quarantined places and may establish quarantines and regulate the
4-60 handling or removal of animals [~~livestock~~] that die or are injured
4-61 in transit.

4-62 SECTION 15. The heading to Subchapter C, Chapter 167,
4-63 Agriculture Code, is amended to read as follows:

4-64 SUBCHAPTER C. TREATMENT [~~DIPPING~~]

4-65 SECTION 16. Sections 167.051 and 167.052, Agriculture Code,
4-66 are amended to read as follows:

4-67 Sec. 167.051. ANIMALS [~~LIVESTOCK~~] SUBJECT TO TREATMENT
4-68 [~~DIPPING~~]. (a) Animals [~~Livestock~~] located in the tick
4-69 eradication area are subject to treatment [~~dipping~~] if the animals

5-1 [~~livestock~~]:

5-2 (1) are infested with ticks;
5-3 (2) were exposed to ticks within the nine months
5-4 preceding an order to treat [~~dip~~]; or

5-5 (3) are on premises described in an order to treat
5-6 [~~dip~~] during the time that the order is in effect and the person to
5-7 whom the order is issued is the owner, part owner, or caretaker of
5-8 the animals [~~livestock~~].

5-9 (b) Animals [~~Livestock~~] located in the free area are subject
5-10 to treatment [~~dipping~~] if:

5-11 (1) the animals [~~livestock~~] are infested with ticks;

5-12 (2) the animals [~~livestock~~] were exposed to ticks
5-13 within the nine months preceding an order to treat [~~dip~~];

5-14 (3) the animals [~~livestock~~] are on premises described
5-15 in an order to treat [~~dip~~] during the time the order is in effect and
5-16 the person to whom the order is issued is the owner, part owner, or
5-17 caretaker of the animals [~~livestock~~]; or

5-18 (4) the commission determines that treatment
5-19 [~~dipping~~] is necessary to ensure that the animals [~~livestock~~] are
5-20 entirely free from infestation.

5-21 (c) The commission may require the treatment of animals
5-22 [~~dipping of livestock~~] that are located in the free area and are
5-23 tick infested or have been exposed to ticks regardless of whether
5-24 the animals [~~livestock~~] or the area in which the animals
5-25 [~~livestock~~] are located is under quarantine.

5-26 Sec. 167.052. ORDER TO TREAT [~~DIP~~]. (a) The commission
5-27 may order the owner, part owner, or caretaker of animals to treat
5-28 the animals [~~livestock to dip the livestock~~] in accordance with the
5-29 directions of the commission. The order must be dated, in writing,
5-30 and signed or stamped with the signature of the commission or the
5-31 presiding officer of the commission.

5-32 (b) An order to treat [~~dip~~] must:

5-33 (1) state the period of time covered by the order;

5-34 (2) describe the premises on which the animals to be
5-35 treated [~~livestock to be dipped~~] are located;

5-36 (3) state that the person to whom the order is directed
5-37 shall treat all animals [~~dip all livestock~~] of which the person is
5-38 the owner, part owner, or caretaker and which are located on those
5-39 premises during that time;

5-40 (4) state that the treatment [~~dipping~~] must be done
5-41 under the supervision of an inspector;

5-42 (5) designate the method by [~~vat at~~] which the animals
5-43 [~~livestock~~] are to be treated [~~dipped~~];

5-44 (6) state the dates on which the animals [~~livestock~~]
5-45 are to be treated [~~dipped~~]; and

5-46 (7) state that if the person does not treat the animals
5-47 [~~dip the livestock~~] on those dates, the treatment [~~dipping~~] will be
5-48 done at the person's expense by a peace officer acting in accordance
5-49 with this chapter.

5-50 (c) The order is not required to describe the premises on
5-51 which the animals [~~livestock~~] are located by field notes or metes
5-52 and bounds, but must provide a reasonable description sufficient to
5-53 inform the person to whom it is directed of the premises or land
5-54 covered by the order.

5-55 (d) An order may require the treatment of the animals
5-56 [~~dipping of the livestock~~] on as many dates as the commission
5-57 considers necessary for eradicating the infestation or exposure of
5-58 the animals [~~livestock~~] or the premises on which the animals are
5-59 [~~livestock is~~] located.

5-60 (e) An order to treat [~~dip~~] must be delivered to the person
5-61 to whom it is directed not later than the 12th day before the date
5-62 specified in the order for the first treatment [~~dipping~~], not
5-63 including the date of delivery or the date of the first treatment
5-64 [~~dipping~~].

5-65 (f) A person to whom an order to treat [~~dip~~] is directed
5-66 shall comply with the order and treat the animals [~~dip the~~
5-67 ~~livestock~~] in accordance with the directions of the commission. If
5-68 the order is not delivered within the time provided by Subsection

5-69 (e) [~~of this section~~], the person receiving the order shall begin

6-1 treatment [dipping] on the first treatment [dipping] date that is
 6-2 more than 12 days after the date of receipt of the order and shall
 6-3 continue treatment [dipping] on subsequent dates as specified in
 6-4 the order.

6-5 (g) If the animals [livestock] or the premises are not freed
 6-6 from ticks or exposure to ticks before an order to treat [dip]
 6-7 expires, the commission [Commission] may issue additional orders
 6-8 regardless of whether the animals [livestock] were exposed to ticks
 6-9 in the nine months preceding the date of the subsequent order.

6-10 SECTION 17. Subsections (a) and (c), Section 167.053,
 6-11 Agriculture Code, are amended to read as follows:

6-12 (a) A person is entitled to request and obtain a hearing for
 6-13 the purpose of protesting an order to treat [dip] by filing a sworn
 6-14 application with the supervising inspector of the county in which
 6-15 the animals [livestock] are located. The application must be filed
 6-16 not later than the 10th day after the day on which the order was
 6-17 received.

6-18 (c) If the commission's decision is delivered in person, a
 6-19 person whose protest is overruled shall begin treatment of the
 6-20 animals [dipping the livestock] on the first treatment [dipping]
 6-21 date in the order that is more than two days after the day on which
 6-22 the decision is received. If the decision is delivered by mail, the
 6-23 person shall begin treatment [dipping] on the first treatment
 6-24 [dipping] date in the order that is more than four days after the
 6-25 day on which the decision was deposited in the mail.

6-26 SECTION 18. Sections 167.054, 167.055, 167.056, 167.057,
 6-27 and 167.058, Agriculture Code, are amended to read as follows:

6-28 Sec. 167.054. EXCUSE FROM COMPLIANCE WITH ORDER. The
 6-29 supervising inspector of a county for good cause may excuse a person
 6-30 from complying with an order to treat [dip], but shall be held
 6-31 responsible for excusing compliance without good cause.

6-32 Sec. 167.055. PERSONS RESPONSIBLE FOR TREATMENT [DIPPING]
 6-33 AND ASSISTANCE. (a) A person who owns any interest in animals
 6-34 [livestock] subject to treatment [dipping] or who is the caretaker
 6-35 of the animals [that livestock] is responsible for the treatment of
 6-36 the animals [dipping of the livestock] under this chapter and is
 6-37 subject to prosecution for failure to treat the animals [dip the
 6-38 livestock].

6-39 (b) A husband and wife are jointly and severally liable for
 6-40 the treatment of animals [dipping of livestock] subject to
 6-41 treatment [dipping] that belong to their community estate. Each
 6-42 spouse is responsible for the treatment of animals [dipping of
 6-43 livestock] belonging to that person's separate estate, except that
 6-44 a spouse who is the caretaker of animals [livestock] owned by the
 6-45 other spouse is responsible for the treatment of the animals
 6-46 [dipping of that livestock].

6-47 (c) A person responsible for the treatment of animals
 6-48 [dipping of livestock] subject to treatment [dipping] shall furnish
 6-49 all necessary labor, at the person's own expense, for gathering the
 6-50 animals [livestock], driving the animals to the treatment facility,
 6-51 treating the animals [livestock to the dipping vat, dipping the
 6-52 livestock], and returning the animals [livestock] to the person's
 6-53 premises after treatment [dipping].

6-54 Sec. 167.056. MANNER OF TREATMENT [DIPPING]. If the
 6-55 commission requires animals to be treated, the animals [livestock
 6-56 to be dipped, the livestock] shall be [submerged in a vat, sprayed,
 6-57 or] treated in the [another sanitary] manner prescribed by the
 6-58 commission.

6-59 Sec. 167.057. TREATMENT CHEMICALS [DIPPING MATERIALS].
 6-60 (a) The commission shall prescribe by rule the official materials
 6-61 in which animals are to be treated [livestock are to be dipped]
 6-62 under this chapter. A person may not treat animals [dip livestock]
 6-63 for purposes of this chapter in a material other than an official
 6-64 material prescribed by the commission.

6-65 (b) The state, an agency of the state, or an agency of the
 6-66 government of the United States shall, and a county may, furnish the
 6-67 official materials for the treatment of animals [dipping of
 6-68 livestock] under this chapter.

6-69 Sec. 167.058. TREATMENT [DIPPING] INTERVALS. A person to

7-1 whom an order to treat [~~dip~~] is directed shall treat the animals
 7-2 [~~dip the livestock~~] on the dates specified in the order, but the
 7-3 order of the commission must provide an interval of at least 13
 7-4 days, not including any part of a treatment [~~dipping~~] date, between
 7-5 the days on which it directs the animals to be treated [~~livestock to~~
 7-6 ~~be dipped~~]. The order of the commission may provide an interval
 7-7 longer than 13 days.

7-8 SECTION 19. The heading to Section 167.059, Agriculture
 7-9 Code, is amended to read as follows:

7-10 Sec. 167.059. TREATMENT [~~DIPPING~~] FACILITIES.

7-11 SECTION 20. Subsections (a), (b), and (c), Section 167.059,
 7-12 Agriculture Code, are amended to read as follows:

7-13 (a) The commissioners court of each county, including a
 7-14 county in the free area, in all or part of which the commission
 7-15 conducts tick eradication shall cooperate with the commission and
 7-16 shall furnish facilities necessary to the treatment of animals
 7-17 [~~dipping of livestock~~] in that county. The commissioners court
 7-18 shall furnish dipping vats, pens, chutes, and other necessary
 7-19 facilities in the number, at the locations, and of the type
 7-20 specified by the commission. In addition, the county, at its
 7-21 expense, shall maintain the facilities and repair or remodel them
 7-22 as necessary, shall provide the water for filling the vats, and
 7-23 shall clean and refill the vats as necessary.

7-24 (b) For the purpose of constructing, purchasing, or leasing
 7-25 treatment [~~dipping~~] facilities, and for the purpose of providing
 7-26 necessary land, labor, or materials, a commissioners court may
 7-27 appropriate money out of the general fund of the county or may incur
 7-28 indebtedness by the issuance of warrants. A warrant issued may not
 7-29 draw interest at a rate of more than six percent per year and may not
 7-30 have a term of more than 20 years. The commissioners court may levy
 7-31 taxes to pay interest on warrants and may establish a sinking fund
 7-32 for the payment of warrants.

7-33 (c) For the purpose of acquiring necessary land for the
 7-34 construction or maintenance of treatment [~~dipping~~] facilities, for
 7-35 the purpose of acquiring treatment [~~dipping~~] facilities that have
 7-36 already been constructed, or for the purpose of acquiring land
 7-37 necessary for ingress and egress to and from those facilities, a
 7-38 commissioners court has the power of eminent domain. The
 7-39 commissioners court shall exercise the power of eminent domain in
 7-40 the manner provided by law for acquiring land for the building and
 7-41 maintenance of public buildings, except that the court shall
 7-42 institute and prosecute condemnation proceedings on written
 7-43 request from the presiding officer of the commission. The request
 7-44 from the commission shall designate:

- 7-45 (1) the land to be condemned and its location;
 7-46 (2) the name of the owner of the land to be condemned;
 7-47 and
 7-48 (3) the easement to be acquired for ingress and
 7-49 egress.

7-50 SECTION 21. The heading to Section 167.060, Agriculture
 7-51 Code, is amended to read as follows:

7-52 Sec. 167.060. TREATMENT [~~DIPPING~~] REQUIRED FOR MOVEMENT
 7-53 FROM QUARANTINED AREA.

7-54 SECTION 22. Subsections (a), (b), and (c), Section 167.060,
 7-55 Agriculture Code, are amended to read as follows:

7-56 (a) An inspector may not issue a certificate or permit for
 7-57 the movement of animals [~~livestock~~] from a quarantined enclosure
 7-58 unless the owner or caretaker of the animals [~~livestock~~]:

7-59 (1) is cooperating with the commission in the regular
 7-60 systematic treatment of the animals [~~dipping of the livestock~~]
 7-61 listed in Subsection (b) [~~of this section~~]; and

7-62 (2) has treated those animals [~~dipped those livestock~~]
 7-63 on the last two treatment [~~dipping~~] dates that were prescribed for
 7-64 the area in which the animals [~~livestock~~] are located and that
 7-65 preceded the date of movement.

7-66 (b) In order to be issued the permit or certificate, the
 7-67 owner or caretaker must cooperate with the commission in the
 7-68 regular systematic treatment of animals [~~dipping of livestock~~] of
 7-69 which the person is the owner or caretaker and which:

8-1 (1) are located in the enclosure from which the
8-2 animals [~~livestock~~] are to be moved;

8-3 (2) are located in quarantined enclosures that connect
8-4 with the enclosure from which the animals [~~livestock~~] are to be
8-5 moved, including an enclosure that:

8-6 (A) connects with an enclosure that connects with
8-7 the enclosure from which the animals [~~livestock~~] are to be moved; or

8-8 (B) is on the opposite side of a lane or road from
8-9 the enclosure from which the animals [~~livestock~~] are to be moved; or

8-10 (3) are located on the quarantined open range that
8-11 connects with any of the enclosures under Subdivision (1) or (2) [~~of~~
8-12 ~~this subsection~~].

8-13 (c) If ticks are found on any of the animals [~~livestock~~]
8-14 submitted for movement, before the certificate or permit is issued,
8-15 each head of the animals must be treated as prescribed by commission
8-16 rules [~~livestock must be dipped at intervals of not less than every~~
8-17 ~~7th day nor more than every 14th day and found free from ticks at the~~
8-18 ~~last dipping~~].

8-19 SECTION 23. Subsection (b), Section 167.082, Agriculture
8-20 Code, is amended to read as follows:

8-21 (b) A person to whom a notice is directed may request a
8-22 hearing for the purpose of protesting the designation in the manner
8-23 provided by Section 167.053 [~~of this code~~] for requesting a hearing
8-24 on an order to treat [~~dip~~]. The commission shall grant the hearing
8-25 and give notice of its decision in the manner provided by that
8-26 section.

8-27 SECTION 24. Subsection (e), Section 167.101, Agriculture
8-28 Code, is amended to read as follows:

8-29 (e) Only an inspector appointed for the purpose may conduct
8-30 tick eradication or issue permits and certificates certifying
8-31 animals [~~livestock~~] to be free from ticks or exposure to ticks. An
8-32 inspector shall issue those permits and certificates in accordance
8-33 with the rules of the commission.

8-34 SECTION 25. Subsection (c), Section 167.102, Agriculture
8-35 Code, is amended to read as follows:

8-36 (c) The search warrant shall describe the place to be
8-37 entered in a reasonable manner that will enable the person in charge
8-38 of the property to identify the property described, but the warrant
8-39 is not required to describe the property by field notes or by metes
8-40 and bounds. If the applicant for the warrant seeks to enter the
8-41 property to determine whether animals [~~livestock~~] are on the
8-42 property, the application for the warrant shall state that. If the
8-43 warrant is obtained for the purpose of seizing or treating animals
8-44 [~~dipping livestock~~], the application and the warrant shall describe
8-45 the animals [~~livestock, state whether the animals are cattle,~~
8-46 ~~horses, mules, jacks, or jennets,~~] and give the approximate number
8-47 of animals. If any of that information is unknown to the applicant,
8-48 the application and warrant shall state that the information is
8-49 unknown.

8-50 SECTION 26. Sections 167.103, 167.104, and 167.105,
8-51 Agriculture Code, are amended to read as follows:

8-52 Sec. 167.103. TREATMENT OF ANIMALS [~~DIPPING OF CATTLE~~] BY
8-53 PEACE OFFICER ON REQUEST OF INSPECTOR. (a) If a person
8-54 responsible for treating animals [~~dipping livestock~~] fails to treat
8-55 the animals [~~dip the livestock~~] at the time and place directed in
8-56 the order or, prior to a treatment [~~dipping~~] date in the order,
8-57 states that he or she does not intend to treat the animals [~~dip the~~
8-58 ~~livestock~~], the inspector in charge of tick eradication in that
8-59 county shall notify a peace officer.

8-60 (b) The peace officer shall deputize a sufficient number of
8-61 assistants, to be designated by the supervising inspector of the
8-62 county, shall enter the property on which the animals [~~livestock~~]
8-63 are located, and shall gather and treat the animals [~~dip the~~
8-64 ~~livestock~~] under the supervision of an inspector and in accordance
8-65 with the directions of the commission.

8-66 (c) The peace officer shall continue to treat the animals
8-67 [~~dip the livestock~~] on each treatment [~~dipping~~] date specified in
8-68 the order until the person responsible for treatment [~~dipping~~]
8-69 begins and continues the treatment [~~dipping~~] in accordance with

9-1 that order.

9-2 Sec. 167.104. SEIZURE AND DISPOSAL OF ANIMALS [~~LIVESTOCK~~]
9-3 RUNNING AT LARGE. (a) An inspector may request a peace officer to
9-4 seize animals [~~livestock~~] if:

9-5 (1) the inspector determines the animals [~~livestock~~]
9-6 to be running at large or on the open range of a county or part of a
9-7 county in which the commission is conducting tick eradication under
9-8 this chapter; and

9-9 (2) the inspector is unable to locate the owner or
9-10 caretaker of the animals [~~livestock~~].

9-11 (b) The peace officer may deputize assistants, shall seize
9-12 the animals [~~livestock~~], and shall treat the animals [~~dip the~~
9-13 ~~livestock,~~] under the supervision of an inspector. The officer
9-14 shall impound the animals [~~livestock~~] at a place designated by the
9-15 inspector or otherwise dispose of the animals [~~livestock~~] as
9-16 necessary for the purpose of tick eradication.

9-17 Sec. 167.105. SEIZURE AND DISPOSAL OF ANIMALS [~~LIVESTOCK~~]
9-18 MOVED IN VIOLATION OF QUARANTINE. (a) An inspector who discovers
9-19 animals [~~livestock~~] that are being or have been moved in violation
9-20 of a quarantine may request a peace officer to seize the animals
9-21 [~~livestock~~] and:

9-22 (1) impound the animals [~~livestock~~] at the expense of
9-23 the owner; or

9-24 (2) if practicable, return the animals [~~livestock~~] at
9-25 the expense of the owner to the point of origin.

9-26 (b) In addition to other expenses, the owner of the seized
9-27 animals [~~livestock~~] shall pay the officer a fee of \$2 and the cost
9-28 of feeding, watering, and holding the animals [~~livestock~~].

9-29 SECTION 27. Subsection (c), Section 167.106, Agriculture
9-30 Code, is amended to read as follows:

9-31 (c) The commission or a resident of a county or part of a
9-32 county in which tick eradication is being conducted may sue for
9-33 permanent or temporary relief to compel a person who is an owner,
9-34 part owner, or caretaker of animals to treat the animals [~~livestock~~
9-35 ~~to dip that livestock~~] in accordance with this chapter if the person
9-36 has failed or refused to treat the animals [~~dip the livestock~~] or
9-37 has threatened to fail or refuse to treat the animals [~~dip the~~
9-38 ~~livestock~~]. If the court finds that the defendant has been served
9-39 with an order of the commission to treat the animals [~~dip the~~
9-40 ~~livestock~~], that the animals [~~livestock~~] are subject to treatment
9-41 [~~dipping~~], and that the material allegations of the plaintiff's
9-42 petition are true, the court shall enter an order commanding the
9-43 defendant to treat the animals [~~dip the livestock~~] in accordance
9-44 with the directions of the commission at the time and place
9-45 designated in the order of the commission or in the order of the
9-46 court. If the defendant fails to comply with the order of the
9-47 court, the court may hold the defendant in contempt and punish the
9-48 defendant accordingly and shall order a peace officer to deputize
9-49 assistants and treat the animals [~~dip the livestock~~] in accordance
9-50 with the order of the court. The expense of treating the animals
9-51 [~~dipping the livestock~~] and employing the peace officer and
9-52 assistants shall be taxed against the defendant as a cost of suit.

9-53 SECTION 28. Section 167.107, Agriculture Code, is amended
9-54 to read as follows:

9-55 Sec. 167.107. SALE OF ANIMALS TREATED [~~LIVESTOCK DIPPED~~] OR
9-56 SEIZED BY PEACE OFFICER. (a) A peace officer who gathers and
9-57 treats [~~dips~~] or who seizes and impounds or disposes of animals
9-58 [~~livestock~~] under Section 167.103, 167.104, or 167.105 [~~of this~~
9-59 ~~code~~] is entitled to retain and sell the animals [~~livestock~~] for the
9-60 purpose of securing payment for the expenses of handling, including
9-61 the expenses of holding, feeding, and watering the animals
9-62 [~~livestock~~].

9-63 (b) Not later than the 60th day after the day on which
9-64 animals are treated [~~livestock are dipped~~] or seized, the peace
9-65 officer may sell at public sale to the highest bidder a number of
9-66 the animals sufficient to cover the secured expenses. The officer
9-67 shall conduct the sale at the courthouse door of the county in which
9-68 the animals [~~livestock~~] are located and shall post notice of the
9-69 sale at that courthouse door at least five days before the day of

10-1 the sale.

10-2 (c) If any proceeds of the sale remain after deducting the
10-3 amount to which the peace officer is entitled, the peace officer
10-4 shall pay those proceeds to the county treasurer subject to the
10-5 order of the owner of the animals [~~livestock~~].

10-6 (d) A peace officer who treats animals [~~dips livestock~~]
10-7 under Section 167.103 [~~of this code~~] is entitled to act under this
10-8 section to secure the expenses of each day on which the animals are
10-9 treated [~~dipped~~].

10-10 SECTION 29. Subsections (a), (b), (c), (d), (e), and (g),
10-11 Section 167.108, Agriculture Code, are amended to read as follows:

10-12 (a) A peace officer who gathers and treats [~~dips~~] or who
10-13 seizes and impounds or disposes of animals [~~livestock~~] under
10-14 Section 167.103, 167.104, or 167.105 [~~of this code~~] has a lien on
10-15 the animals [~~livestock~~] for the purpose of securing payment of the
10-16 officer's fees and the expenses of handling the animals
10-17 [~~livestock~~], including the expenses of holding, feeding, and
10-18 watering the animals [~~livestock~~] and the expenses of paying
10-19 assistants. Instead of retaining and selling the animals
10-20 [~~livestock~~] under Section 167.107 [~~of this code~~], the officer may
10-21 perfect and foreclose a lien granted by this section.

10-22 (b) A peace officer who treats animals [~~dips livestock~~] in
10-23 accordance with an order of a court under Section 167.106(c) [~~of~~
10-24 ~~this code~~], and the peace officer's assistants, have a lien on the
10-25 animals [~~livestock~~] to secure payment of the expenses and costs of
10-26 the treatment [~~dipping~~].

10-27 (c) A peace officer may perfect a lien under Subsection (a)
10-28 [~~of this section~~] by filing a sworn statement of indebtedness with
10-29 the county clerk of the county in which the animals [~~livestock~~] are
10-30 located. The statement must describe the animals [~~livestock~~] and
10-31 must be filed within six months after the treatment [~~dipping~~] or
10-32 other action of the peace officer giving rise to the lien. The
10-33 statement may cover a single action or actions over a period of
10-34 time. If the statement covers actions over a period of time, the
10-35 statement must be filed within six months after the last treatment
10-36 [~~dipping~~] or other action giving rise to the lien.

10-37 (d) A peace officer may perfect a lien under Subsection (b)
10-38 [~~of this section~~] by filing a sworn statement covering a single
10-39 treatment [~~dipping~~] or a number of treatments [~~dippings~~] with the
10-40 clerk of the district court. The statement must show the number of
10-41 animals treated [~~livestock dipped~~] and must describe the animals
10-42 [~~livestock~~]. The statement must be filed within 12 months after
10-43 each treatment [~~dipping~~].

10-44 (e) A peace officer may foreclose a lien under Subsection
10-45 (a) [~~of this section~~] by filing suit against the owner of the
10-46 animals [~~livestock~~] in a court of competent jurisdiction for
10-47 collection of the account and foreclosure of the lien. The suit must
10-48 be filed within 24 months after the statement is filed with the
10-49 county clerk. In the suit, the court may not require a cost bond of
10-50 the peace officer or any person to whom the peace officer has
10-51 assigned the account. The court shall enter judgment for the debt,
10-52 with interest and costs of suit, and for foreclosure of the lien on
10-53 the number of animals that the court determines necessary to defray
10-54 the expenses and fees secured.

10-55 (g) If a lien is foreclosed under this section, the
10-56 remainder of the proceeds of the sale following deduction of
10-57 expenses and costs shall be paid to the clerk of the court in which
10-58 the suit is pending and are subject to the order of the owner of the
10-59 animals [~~livestock~~].

10-60 SECTION 30. Sections 167.110, 167.111, and 167.112,
10-61 Agriculture Code, are amended to read as follows:

10-62 Sec. 167.110. PRESUMPTION OF EXISTENCE OR SUFFICIENCY OF
10-63 TREATMENT [~~DIP~~]. (a) In the trial of any case under this chapter
10-64 in connection with the treatment of animals [~~dipping of livestock~~]
10-65 or the failure to treat animals [~~dip livestock~~], it is presumed
10-66 that:

10-67 (1) the treatment [~~dipping vat~~] contained a sufficient
10-68 amount of treatment chemical and the treatment chemical [~~dipping~~
10-69 ~~solution and the dipping solution~~] had been properly tested; or

11-1 (2) the treatment chemical [~~dipping solution~~] could
 11-2 have and would have been put into the treatment facility [~~vat~~] and
 11-3 tested if the owner or caretaker had brought the animals to the
 11-4 treatment facility [~~livestock to the vat~~] for the purpose of
 11-5 treatment [~~dipping~~].

11-6 (b) In a criminal prosecution for failure to treat animals
 11-7 [~~dip livestock~~] under this chapter, the state is not required to
 11-8 allege and prove that the treatment facility [~~vat~~] contained
 11-9 treatment chemical [~~dipping solution~~].

11-10 (c) If it is necessary in a court proceeding to prove the
 11-11 test of a treatment chemical [~~dipping solution~~], it is only
 11-12 necessary to prove that:

11-13 (1) the treatment chemical [~~dipping solution~~] used was
 11-14 one of the official treatment chemicals [~~dipping materials~~]
 11-15 prescribed by the commission; and

11-16 (2) the inspector tested the treatment chemical
 11-17 [~~dipping solution~~] in accordance with the rules of the commission.

11-18 Sec. 167.111. PRESUMPTION OF OWNERSHIP OR CARE. (a) If an
 11-19 inspector determines that a person is the owner, part owner, or
 11-20 caretaker of animals [~~livestock~~] subject to treatment [~~dipping~~] and
 11-21 an order to treat [~~dip~~] is issued and served, it is presumed that,
 11-22 at the time of a failure to treat [~~dip~~], the person was still the
 11-23 owner, part owner, or caretaker of animals [~~livestock~~] subject to
 11-24 treatment [~~dipping~~] located on the premises described in the order.
 11-25 In that case, the state is required to prove only that the person
 11-26 was the owner, part owner, or caretaker of animals [~~livestock~~]
 11-27 subject to treatment [~~dipping~~] located on the premises at the time
 11-28 the order was served.

11-29 (b) After the service of an order to treat [~~dip~~], if there
 11-30 are no longer any animals [~~livestock~~] subject to treatment
 11-31 [~~dipping~~] located on the premises and if no animals [~~livestock~~]
 11-32 subject to treatment [~~dipping~~] have been illegally removed, the
 11-33 defendant may file a sworn statement of that fact at the beginning
 11-34 of the trial. If the defendant does not file that statement, it is
 11-35 presumed that the defendant's status as owner, part owner, or
 11-36 caretaker remained unchanged since the service of the order.

11-37 Sec. 167.112. VENUE OF CRIMINAL PROSECUTION. The owner,
 11-38 part owner, or caretaker of animals [~~livestock~~] is subject to
 11-39 prosecution under this chapter in the county in which the animals
 11-40 [~~livestock~~] and the premises are located, regardless of whether the
 11-41 defendant was in the county at the time of issuance and service of
 11-42 the order to treat [~~dip~~], at the time of the failure to treat [~~dip~~],
 11-43 or at the time of violation of the quarantine.

11-44 SECTION 31. Subsection (a), Section 167.131, Agriculture
 11-45 Code, is amended to read as follows:

11-46 (a) A person commits an offense if, as the owner, part
 11-47 owner, or caretaker of animals [~~livestock~~], the person fails to
 11-48 gather the animals [~~livestock~~] for inspection at the time and place
 11-49 ordered by the commission under Section 167.008 [~~of this code~~].

11-50 SECTION 32. Section 167.132, Agriculture Code, is amended
 11-51 to read as follows:

11-52 Sec. 167.132. MOVEMENT OF ANIMALS [~~LIVESTOCK~~] IN VIOLATION
 11-53 OF QUARANTINE. (a) A person commits an offense if the person
 11-54 moves, or as owner, part owner, or caretaker permits the movement
 11-55 of, animals [~~livestock~~] from any land, premises, or enclosure that
 11-56 is under quarantine for tick infestation or exposure in violation
 11-57 of the quarantine without a permit issued by an inspector of the
 11-58 commission or of the Animal and Plant Health Inspection Service,
 11-59 United States Department of Agriculture.

11-60 (b) A railroad or other transportation company commits an
 11-61 offense if it permits an animal [~~a head of livestock~~] to enter stock
 11-62 pens in the tick eradication area under the company's control
 11-63 without a written certificate or permit from an inspector of the
 11-64 commission or of the Animal and Plant Health Inspection Service,
 11-65 United States Department of Agriculture.

11-66 (c) An offense under this section is a Class C misdemeanor
 11-67 for each animal [~~head of livestock~~] moved, permitted to move, or
 11-68 permitted to enter the pen unless it is shown on the trial of the
 11-69 offense that the defendant has been previously convicted under this

12-1 section, in which event the offense is a Class B misdemeanor.

12-2 (d) Except as provided by this subsection, a person commits
12-3 a separate offense under Subsection (a) [~~of this section~~] for each
12-4 county into which animals [~~livestock~~] are moved within 30 days
12-5 following the day on which the animals [~~livestock~~] leave the county
12-6 in which they were quarantined. A person does not commit an offense
12-7 for a county if the person complied with the requirements of this
12-8 chapter prior to entry into that county.

12-9 SECTION 33. Subsections (a) and (b), Section 167.133,
12-10 Agriculture Code, are amended to read as follows:

12-11 (a) A person commits an offense if the person:

12-12 (1) moves animals [~~livestock~~] or, as owner, part
12-13 owner, or caretaker, permits animals [~~livestock~~] to be moved into
12-14 this state in violation of Section 167.026(a) [~~of this code~~]; or

12-15 (2) moves animals or commodities into this state in
12-16 violation of Section 167.026(b) or (c) [~~of this code~~].

12-17 (b) An offense under Subsection (a)(1) [~~of this code~~] is a
12-18 Class C misdemeanor for each animal [~~head of livestock~~] moved or
12-19 permitted to be moved unless it is shown on the trial of the offense
12-20 that the defendant has been previously convicted under this
12-21 section, in which event the offense is a Class B misdemeanor.

12-22 SECTION 34. Sections 167.134 and 167.135, Agriculture Code,
12-23 are amended to read as follows:

12-24 Sec. 167.134. MOVEMENT OF ANIMALS [~~LIVESTOCK~~] IN VIOLATION
12-25 OF PERMIT OR CERTIFICATE. (a) A person commits an offense if the
12-26 person moves or, as owner, part owner, or caretaker, permits the
12-27 movement of, animals [~~livestock~~] under a certificate or permit from
12-28 quarantined land, premises, or enclosures to a place other than
12-29 that designated on the certificate or permit by the inspector.

12-30 (b) An offense under this section is a Class C misdemeanor
12-31 for each animal [~~head of livestock~~] moved unless it is shown on the
12-32 trial of the offense that the defendant has been previously
12-33 convicted under this section, in which event the offense is a Class
12-34 B misdemeanor.

12-35 Sec. 167.135. FAILURE TO POSSESS OR EXHIBIT PERMIT OR
12-36 CERTIFICATE. (a) A person commits an offense if the person is in
12-37 charge of animals [~~livestock~~] for which a certificate or permit is
12-38 required or is in charge of the conveyance transporting that animal
12-39 [~~livestock~~] and the person fails to possess or exhibit the
12-40 certificate or permit in the manner provided by Section 167.027 [~~of~~
12-41 ~~this code~~].

12-42 (b) An offense under this section is a Class C misdemeanor
12-43 for each animal [~~head of livestock~~] moved or conveyed without a
12-44 certificate or permit as required by Subsection (a) [~~of this~~
12-45 ~~section~~] unless it is shown on the trial of the offense that the
12-46 defendant has been previously convicted under this section, in
12-47 which event the offense is a Class B misdemeanor.

12-48 SECTION 35. Subsection (a), Section 167.138, Agriculture
12-49 Code, is amended to read as follows:

12-50 (a) A person commits an offense if the person uses sand as
12-51 bedding in an animal [~~a livestock~~] conveyance in violation of a
12-52 quarantine established or a commission rule adopted under Section
12-53 167.031 [~~of this code~~].

12-54 SECTION 36. The heading to Section 167.140, Agriculture
12-55 Code, is amended to read as follows:

12-56 Sec. 167.140. IMPROPER HANDLING AND REMOVAL OF ANIMAL
12-57 [~~LIVESTOCK~~] REFUSE OR DEAD OR INJURED ANIMALS [~~LIVESTOCK~~].

12-58 SECTION 37. The heading to Section 167.141, Agriculture
12-59 Code, is amended to read as follows:

12-60 Sec. 167.141. FAILURE TO TREAT ANIMALS [~~DIP LIVESTOCK~~].

12-61 SECTION 38. Subsection (a), Section 167.141, Agriculture
12-62 Code, is amended to read as follows:

12-63 (a) A person who is the owner, part owner, or caretaker of
12-64 animals [~~livestock~~] commits an offense if, after the 12th day
12-65 following the day on which notice of an order to treat [~~dip~~] is
12-66 received, the person fails or refuses to treat the animals [~~dip the~~
12-67 ~~livestock~~] as prescribed in the order, on any date prescribed in the
12-68 order, during the hours prescribed in the order, under the
12-69 supervision of an inspector, with [~~in~~] an official treatment

13-1 chemical [~~dipping material~~], or in the treatment facility [~~dipping~~
13-2 ~~vat~~] designated in the order.

13-3 SECTION 39. The heading to Section 167.142, Agriculture
13-4 Code, is amended to read as follows:

13-5 Sec. 167.142. DESTRUCTION OF PUBLIC TREATMENT [~~DIPPING~~]
13-6 FACILITIES.

13-7 SECTION 40. (a) The changes in law made by this Act apply
13-8 only to an offense committed on or after the effective date of this
13-9 Act. For purposes of this section, an offense is committed before
13-10 the effective date of this Act if any element of the offense occurs
13-11 before that date.

13-12 (b) An offense committed before the effective date of this
13-13 Act is covered by the law in effect when the offense was committed,
13-14 and the former law is continued in effect for that purpose.

13-15 SECTION 41. Not later than December 1, 2013, the Texas
13-16 Animal Health Commission shall adopt rules as required by this Act.

13-17 SECTION 42. This Act takes effect September 1, 2013.

13-18

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