

By: Schwertner

S.B. No. 1233

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to a state animal identification program and the  
3 identification of animals vaccinated for or infected with  
4 brucellosis.

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

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

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

16 (c) The commission may require the use of official  
17 identification numbers assigned as part of the state animal  
18 identification program [~~for animal disease control, animal~~  
19 ~~emergency management, and other commission programs]~~.

20 SECTION 2. Section 163.064(c), Agriculture Code, is amended  
21 to read as follows:

22 (c) The commission may by rule regulate and require the  
23 vaccination of female cattle within all or any of the area  
24 classifications. Among other rules, the commission may adopt rules

1 providing for:

2 (1) the identification of cattle to be vaccinated  
3 consistent with Section 161.056;

4 (2) approval of the vaccine used; and

5 (3) the method of administering the vaccine.

6 SECTION 3. Section 163.065(a), Agriculture Code, is amended  
7 to read as follows:

8 (a) If a tested animal shows evidence of infection with  
9 brucellosis, the person performing the test shall handle the animal  
10 in accordance with the rules of the commission. The commission may  
11 prescribe requirements according to the classification of the area  
12 in which the animal is located. Among other requirements, the  
13 commission may require the person performing the test to:

14 (1) furnish the owner of the animal with written data  
15 showing that the animal is infected;

16 (2) fire brand the animal on the left jaw with the  
17 letter "B"; and

18 (3) place an approved, numbered identification on the  
19 animal consistent with Section 161.056 ~~and~~

20 ~~[(4) report the identification number in writing to~~  
21 ~~the commission].~~

22 SECTION 4. Sections 161.056(b), (d), (g), and (h),  
23 Agriculture Code, are repealed.

24 SECTION 5. (a) The repeal by this Act of Section  
25 161.056(g), Agriculture Code, does not apply to an offense  
26 committed under that subsection before the effective date of this  
27 Act. For purposes of this section, an offense is committed before

1 the effective date of this Act if any element of the offense occurs  
2 before that date.

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

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