

SENATE AMENDMENTS

2nd Printing

By: Kleinschmidt

H.B. No. 3569

A BILL TO BE ENTITLED

AN ACT

relating to activities conducted in connection with a state or federal disease control or eradication program for animals.

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

SECTION 1. Subchapter C, Chapter 161, Agriculture Code, is amended by adding Section 161.0417 to read as follows:

Sec. 161.0417. AUTHORIZED PERSONNEL FOR DISEASE CONTROL.

(a) A person, including a veterinarian, must be authorized by the commission in order to engage in an activity that is part of a state or federal disease control or eradication program for animals.

(b) The commission shall adopt rules for the authorization of a person described by Subsection (a).

(c) The commission may, after reasonable notice, suspend or revoke a person's authorization under Subsection (a) if the commission determines that the person has substantially failed to comply with this chapter or rules adopted under this chapter.

(d) A person is entitled to a hearing before the commission or a hearing examiner appointed by the commission before the commission may revoke the person's authorization under Subsection (a). The commission shall make all final decisions to suspend or revoke an authorization.

(e) This section does not affect the requirement for a license or an exemption under Chapter 801, Occupations Code, to practice veterinary medicine.

1 SECTION 2. Section 161.0601(a), Agriculture Code, is
2 amended to read as follows:


3 (a) The commission by rule may provide for the issuance,
4 including electronically, of a certificate of veterinary
5 inspection by a veterinarian to a person transporting livestock,
6 exotic livestock, domestic fowl, or exotic fowl.

7 SECTION 3. Not later than December 1, 2013, the Texas Animal
8 Health Commission shall adopt rules as required by Section
9 161.0417, Agriculture Code, as added by this Act.

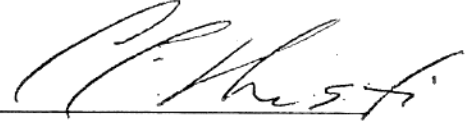
10 SECTION 4. This Act takes effect September 1, 2013.

ADOPTED

MAY 22 2013


Secretary of the Senate

FLOOR AMENDMENT NO. 1

BY: 

1 Amend H.B. No. 3569 (senate committee report) by adding the
2 following appropriately numbered SECTIONS to the bill and
3 renumbering the SECTIONS of the bill accordingly:

4 SECTION _____. Section 161.041(c), Agriculture Code, is
5 amended to read as follows:

6 (c) A person commits an offense if the person knowingly
7 fails to handle, in accordance with rules adopted by the
8 commission, livestock, exotic livestock, domestic fowl, or exotic
9 fowl:

- 10 (1) infected with a disease listed in Subsection (a);
11 (2) exposed, as defined by commission rule, to a
12 disease listed in Subsection (a) if the commission has notified the
13 person that the animal was exposed to the disease; or
14 (3) subject to a testing requirement due to a risk of
15 exposure, as defined by commission rule, to a specific disease if
16 the commission has notified the person of the testing requirement.

17 SECTION _____. The change in law made by this Act by the
18 amendment of Section 161.041(c), Agriculture Code, applies only to
19 an offense committed on or after the effective date of this Act. An
20 offense committed before the effective date of this Act is governed
21 by the law in effect on the date the offense was committed, and the
22 former law is continued in effect for that purpose. For purposes of
23 this section, an offense was committed before the effective date of
24 this Act if any element of the offense occurred before that date.

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

May 23, 2013

TO: Honorable Joe Straus, Speaker of the House, House of Representatives

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB3569 by Kleinschmidt (Relating to activities conducted in connection with a state or federal disease control or eradication program for animals.), **As Passed 2nd House**

Estimated Two-year Net Impact to General Revenue Related Funds for HB3569, As Passed 2nd House: a negative impact of (\$173,382) through the biennium ending August 31, 2015.

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

General Revenue-Related Funds, Five-Year Impact:

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2014	(\$86,691)
2015	(\$86,691)
2016	(\$86,691)
2017	(\$86,691)
2018	(\$86,691)

All Funds, Five-Year Impact:

Fiscal Year	Probable Savings/(Cost) from General Revenue Fund 1	Change in Number of State Employees from FY 2013
2014	(\$86,691)	1.5
2015	(\$86,691)	1.5
2016	(\$86,691)	1.5
2017	(\$86,691)	1.5
2018	(\$86,691)	1.5

Fiscal Analysis

The bill would amend the Agriculture Code requiring the Texas Animal Health Commission (TAHC) to adopt rules for the authorization of persons engaged in an activity that is part of a state or federal disease control or eradication program for animals. Under provisions of the bill, TAHC would be required to adopt the rules by December 1, 2013. Additionally, the bill would provide

for the issuance of electronically issued certificates of veterinary inspection. Finally, the bill would amend the Agriculture Code regarding offenses committed by persons knowingly failing to handle livestock or fowl in accordance with rules adopted by TAHC.

Methodology

This estimate assumes the agency could provide for the development of rules concerning persons engaged in an activity that is part of a disease control or eradication program for animals within existing resources.

According to TAHC, to implement the provisions of the bill the agency would have the ongoing expense of maintaining the data of persons authorized by the commission to participate in disease control and eradication. The agency indicated it would hire 1 full-time administrative assistant and 0.5 veterinarian position for the program. This estimate assumes a yearly cost to General Revenue Fund of \$86,691 in salaries and benefits associated with these full-time equivalent positions.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 554 Animal Health Commission

LBB Staff: UP, SZ, ZS, JP

**LEGISLATIVE BUDGET BOARD
Austin, Texas**

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

May 13, 2013

TO: Honorable Craig Estes, Chair, Senate Committee on Agriculture, Rural Affairs & Homeland Security

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB3569 by Kleinschmidt (Relating to activities conducted in connection with a state or federal disease control or eradication program for animals.), **As Engrossed**

Estimated Two-year Net Impact to General Revenue Related Funds for HB3569, As Engrossed: a negative impact of (\$173,382) through the biennium ending August 31, 2015.

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

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Fiscal Analysis

The bill would amend the Agriculture Code requiring the Texas Animal Health Commission (TAHC) to adopt rules for the authorization of persons engaged in an activity that is part of a state or federal disease control or eradication program for animals. Under provisions of the bill, TAHC

would be required to adopt the rules by December 1, 2013. Additionally, the bill would provide for the issuance of electronically issued certificates of veterinary inspection.

Methodology

This estimate assumes the agency could provide for the development of rules concerning persons engaged in an activity that is part of a disease control or eradication program for animals within existing resources.

According to TAHC, to implement the provisions of the bill the agency would have the ongoing expense of maintaining the data of persons authorized by the commission to participate in disease control and eradication. The agency indicated it would hire 1 full-time administrative assistant and 0.5 veterinarian position for the program. This estimate assumes a yearly cost to General Revenue of \$86,691 in salaries and benefits associated with these full-time equivalent positions.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 554 Animal Health Commission

LBB Staff: UP, SZ, ZS, JP

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

April 15, 2013

TO: Honorable Tracy O. King, Chair, House Committee on Agriculture & Livestock

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB3569 by Kleinschmidt (Relating to activities conducted in connection with a state or federal disease control or eradication program for animals.), **As Introduced**

Estimated Two-year Net Impact to General Revenue Related Funds for HB3569, As Introduced: a negative impact of (\$173,382) through the biennium ending August 31, 2015.

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

General Revenue-Related Funds, Five-Year Impact:

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
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Fiscal Analysis

The bill would amend the Agriculture Code requiring the Texas Animal Health Commission (TAHC) to adopt rules for the authorization of persons engaged in an activity that is part of a state or federal disease control or eradication program for animals. Under provisions of the bill, TAHC would be required to adopt the rules by December 1, 2013. Additionally, the bill would provide

for the issuance of electronically issued certificates of veterinary inspection.

Methodology

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According to TAHC, to implement the provisions of the bill the agency would have the ongoing expense of maintaining the data of persons authorized by the commission to participate in disease control and eradication. The agency indicated it would hire 1 full-time administrative assistant and 0.5 veterinarian position for the program. This estimate assumes a yearly cost to General Revenue of \$86,691 in salaries and benefits associated with these full-time equivalent positions.

Local Government Impact

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Source Agencies: 554 Animal Health Commission

LBB Staff: UP, SZ, ZS, JP