

BILL ANALYSIS

C.S.H.B. 1934
By: Kacal
Agriculture & Livestock
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Interested parties note that the Beef Promotion and Research Council of Texas was created to promote Texas beef as a commodity. The parties contend that the council is constrained by a lack of adequate statutory enforcement provisions and by current meeting requirements as the council's current membership includes industry stakeholders from across Texas, making it difficult for the council to regularly meet in person. C.S.H.B. 1934 seeks to address these issues.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 1934 amends the Agriculture Code to authorize the Beef Promotion and Research Council of Texas or a committee established by the council to hold an open or closed meeting by telephone conference call if the convening at one location of a quorum of the council or committee is inconvenient for any member of the council or committee. The bill subjects the meeting to the notice requirements applicable to other meetings and requires the notice of the meeting to specify as the location of the meeting the location where meetings of the council or committee, as applicable, are usually held. The bill requires each part of the meeting that is required to be open to the public to be audible to the public at the location specified in the notice of the meeting as the location of the meeting, requires the audio to be recorded, and requires the audio recording to be made available to the public. The bill includes statutory provisions relating to Texas beef marketing, education, research, and promotion among the statutory provisions a violation of which is grounds for suspension or revocation of any license or permit issued by the commissioner of agriculture.

EFFECTIVE DATE

September 1, 2015.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 1934 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and formatted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill.

INTRODUCED

SECTION 1. Section 41.102, Agriculture Code, is amended.

SECTION 2. Subchapter H, Chapter 41, Agriculture Code, is amended by adding Section 41.1565 to read as follows:

Sec. 41.1565. MEETINGS BY TELEPHONE CONFERENCE CALL. (a) Notwithstanding Chapter 551, Government Code, the council may hold an open or closed meeting by telephone conference call if the convening at one location of a quorum of the council is inconvenient for any member of the council.

(b) The meeting is subject to the notice requirements applicable to other meetings.

(c) The notice of the meeting must specify as the location of the meeting the location where meetings of the council are usually held.

(d) Each part of the meeting that is required to be open to the public shall be audible to the public at the location specified in the notice of the meeting as the location of the meeting and shall be tape recorded. The tape recording shall be made available to the public.

SECTION 3. The change in law made by this Act to Section 41.102, Agriculture Code, applies only to conduct that occurs on or after the effective date of this Act. Conduct that occurs before the effective date of this Act is governed by the law in effect on the date the conduct occurs, and the former law is continued in effect for that purpose.

SECTION 4. This Act takes effect September 1, 2015.

HOUSE COMMITTEE SUBSTITUTE

SECTION 1. Same as introduced version.

SECTION 2. Subchapter H, Chapter 41, Agriculture Code, is amended by adding Section 41.1565 to read as follows:

Sec. 41.1565. MEETINGS BY TELEPHONE CONFERENCE CALL. (a) Notwithstanding Chapter 551, Government Code, the council or a committee established by the council may hold an open or closed meeting by telephone conference call if the convening at one location of a quorum of the council or committee is inconvenient for any member of the council or committee.

(b) The meeting is subject to the notice requirements applicable to other meetings.

(c) The notice of the meeting must specify as the location of the meeting the location where meetings of the council or committee, as applicable, are usually held.

(d) Each part of the meeting that is required to be open to the public shall be audible to the public at the location specified in the notice of the meeting as the location of the meeting and the audio shall be recorded. The audio recording shall be made available to the public.

SECTION 3. Same as introduced version.

SECTION 4. Same as introduced version.