

By: González, Márquez

H.B. No. 798

Substitute the following for H.B. No. 798:

By: Rinaldi

C.S.H.B. No. 798

A BILL TO BE ENTITLED

AN ACT

relating to a task force to study methods to prevent the theft of
desert plants.

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

SECTION 1. Chapter 12, Agriculture Code, is amended by
adding Section 12.052 to read as follows:

Sec. 12.052. STUDY OF METHODS TO PREVENT DESERT PLANT
THEFT. (a) Not later than December 1, 2015, the commissioner shall
appoint a task force to study methods to prevent the theft of desert
plants from private property, including the following genera of
plants:

(1) Agave;

(2) Ariocarpus;

(3) Echinocactus;

(4) Echinocereus;

(5) Ferocactus;

(6) Fouquieria;

(7) Mammillaria; and

(8) Yucca.

(b) The task force shall study the sale and transportation
of desert plants and methods to prevent the theft of desert plants
from private property. The task force may study the feasibility and
effectiveness of:

(1) implementing registration requirements for

1 persons who sell or transport desert plants;

2 (2) requiring persons who sell or transport desert
3 plants to enter into a compliance agreement with a state agency;

4 (3) requiring persons who sell or transport desert
5 plants to document the origin of the plants;

6 (4) authorizing a state agency to issue stop-sale
7 orders regarding or to seize desert plants that do not comply with
8 legal requirements;

9 (5) imposing civil, criminal, or administrative
10 penalties for persons who steal desert plants and for persons who
11 fail to comply with legal requirements governing the sale or
12 transportation of desert plants; and

13 (6) taking any other action to regulate the sale or
14 transportation of desert plants and prevent the theft of desert
15 plants, as determined by the task force.

16 (c) Not later than December 1, 2016, the task force shall
17 submit to the house committees on agriculture and livestock and
18 appropriations a report that includes recommendations for
19 legislation to regulate the sale or transportation of desert plants
20 and prevent the theft of desert plants from private property.

21 (d) This section expires December 31, 2016.

22 SECTION 2. This Act takes effect immediately if it receives
23 a vote of two-thirds of all the members elected to each house, as
24 provided by Section 39, Article III, Texas Constitution. If this
25 Act does not receive the vote necessary for immediate effect, this
26 Act takes effect September 1, 2015.