

By: King of Uvalde

H.B. No. 2120

A BILL TO BE ENTITLED

AN ACT

relating to changing the name of the Department of Agriculture.

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

SECTION 1. Effective January 1, 2016, Sections 1.003(1) and (2), Agriculture Code, are amended to read as follows:

(1) "Commissioner" means the commissioner of agriculture and consumer protection.

(2) "Department" means the Department of Agriculture and Consumer Protection.

SECTION 2. Effective January 1, 2016, Chapter 1, Agriculture Code, is amended by adding Section 1.004 to read as follows:

Sec. 1.004. COMMISSIONER OF AGRICULTURE AND CONSUMER PROTECTION; DEPARTMENT OF AGRICULTURE AND CONSUMER PROTECTION. (a) The commissioner of agriculture is renamed the commissioner of agriculture and consumer protection. The Department of Agriculture is renamed the Department of Agriculture and Consumer Protection.

(b) A reference in law to the commissioner of agriculture means the commissioner of agriculture and consumer protection.

(c) A reference in law to the Department of Agriculture means the Department of Agriculture and Consumer Protection.

SECTION 3. (a) Effective January 1, 2016:

(1) all powers, duties, rights, and obligations of the commissioner of agriculture and the Department of Agriculture are

1 the powers, duties, rights, and obligations of the commissioner of
2 agriculture and consumer protection or the Department of
3 Agriculture and Consumer Protection, as applicable; and

4 (2) any appropriation to the Department of Agriculture
5 is an appropriation to the Department of Agriculture and Consumer
6 Protection.

7 (b) The Department of Agriculture and Consumer Protection
8 is the successor to the Department of Agriculture in all respects.
9 All personnel, equipment, data, documents, facilities, contracts,
10 items, other property, rules, decisions, and proceedings of or
11 involving the Department of Agriculture are unaffected by the
12 change in the name of the agency.

13 (c) The Department of Agriculture shall adopt a timetable
14 for phasing in the change of the agency's name so as to minimize the
15 fiscal impact of the name change. Until January 1, 2016, to allow
16 for phasing in the change of the agency's name and in accordance
17 with the timetable established as required by this section, the
18 commissioner of agriculture or the Department of Agriculture may
19 perform any act authorized by law for the commissioner or the
20 department as the commissioner of agriculture or the Department of
21 Agriculture or as the commissioner of agriculture and consumer
22 protection or the Department of Agriculture and Consumer
23 Protection, as appropriate. Any act of the commissioner of
24 agriculture or the Department of Agriculture acting as the
25 commissioner of agriculture and consumer protection or the
26 Department of Agriculture and Consumer Protection on or after the
27 effective date of this section and before January 1, 2016, is an act

1 of the commissioner of agriculture or the Department of
2 Agriculture, as appropriate.

3 SECTION 4. Except as otherwise provided by this Act, this
4 Act takes effect immediately if it receives a vote of two-thirds of
5 all the members elected to each house, as provided by Section 39,
6 Article III, Texas Constitution. If this Act does not receive the
7 vote necessary for immediate effect, this Act takes effect
8 September 1, 2015, except as otherwise provided by this Act.