

## **BILL ANALYSIS**

Senate Research Center  
85R8672 BEF-F

S.B. 1675  
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As Filed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Under current law, private animal import-export processing facilities are not licensed or regulated, endangering the public's health, safety, and welfare in the handling or processing of livestock product.

S.B. 1675 authorizes the Texas Department of Agriculture (TDA) to conduct licensing and inspection of animal and animal product import-export processing facilities, promulgate rules related to standards and licensing.

Further, S.B. 1675 authorizes TDA to recover costs of administering the licensing and inspection through licensing fees set by TDA.

Finally, S.B. 1675 sets a maximum administrative penalty of \$5,000 for safety violations.

As proposed, S.B. 1675 amends current law relating to the licensing and regulation of animal export-import processing facilities, provides penalties, requires an occupational license, and authorizes fees.

### **RULEMAKING AUTHORITY**

Rulemaking authority is expressly granted to the Texas Department of Agriculture in SECTION 2 (Section 146.042, Agriculture Code) of this bill.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 12.020(c), Agriculture Code, to include Subchapter C, Chapter 146 (Sale and Shipment of Livestock), which is added by this Act, and a penalty of not more than \$5,000 in the list of provisions of law subject to this section (Administrative Penalties) and the applicable penalty amounts.

SECTION 2. Amends Chapter 146, Agriculture Code, by adding Subchapter C, as follows:

#### **SUBCHAPTER C. LICENSING AND INSPECTION OF EXPORT-IMPORT PROCESSING FACILITIES**

Sec. 146.041. DEFINITION. Defines "facility."

Sec. 146.042. POWERS AND DUTIES OF DEPARTMENT. (a) Provides that the Texas Department of Agriculture (TDA) has exclusive authority to license facilities in this state.

(b) Requires TDA to adopt rules to implement, administer, and enforce this subchapter, including requirements to obtain and renew a license; standards governing a license holder's operation of a facility necessary to protect the public's health, safety, and welfare and the safety of animals held by the facility; fees for the issuance and renewal of a license in amounts necessary to recover TDA's direct and indirect costs of administering this subchapter; and a schedule of sanctions for violations of this subchapter and adopted rules.

(c) Provides that a governmental entity is exempt from the license and renewal fees under Subsection (b)(3) (relating to fees for the issuance and renewal of a license in amounts necessary to recover certain costs).

Sec. 146.043. LICENSE REQUIRED. Prohibits a person from operating a facility unless the person holds a license issued under this subchapter.

Sec. 146.044. ENFORCEMENT. (a) Authorizes TDA to impose an administrative penalty or other administrative sanction for a violation of this subchapter or an adopted rule, including a penalty or sanction under Section 12.020 or 12.0201 (License Sanctions).

(b) Authorizes TDA to suspend or revoke a license for a violation of this subchapter or an adopted rule.

SECTION 3. Provides that Section 12.020(c), Agriculture Code, as amended by this Act, and Sections 146.043 and 146.044, Agriculture Code, as added by this Act, do not apply before the 90th day after the rules under Section 146.042(b)(1), Agriculture Code, as added by this Act, become effective.

SECTION 4. Effective date: upon passage or September 1, 2017.