

By: Lucio

S.B. No. 1675

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to the licensing and regulation of animal export-import  
3 processing facilities; providing penalties; requiring an  
4 occupational license; authorizing fees.

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

6 SECTION 1. Section 12.020(c), Agriculture Code, is amended  
7 to read as follows:

8 (c) The provisions of law subject to this section and the  
9 applicable penalty amounts are as follows:

10 Provision	Amount of Penalty
11 Chapters 13, 14A, 17, 18, 19, 41, 12 46, 61, 72, 73, 74, 76, 94, 95, 101, 13 102, 103, 125, 132, 14 and 134	not more than \$5,000
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19 Subchapters A, B, and C, Chapter 71	not more than \$5,000
20 Chapter 14	not more than \$10,000
21 <u>Subchapter C, Chapter 146</u>	<u>not more than \$5,000</u>
22 <u>Chapter 1951, Occupations Code</u>	<u>not more than \$5,000</u>
23 Chapter 153, Natural Resources	
24 Code	not more than \$5,000.

25 SECTION 2. Chapter 146, Agriculture Code, is amended by  
26 adding Subchapter C to read as follows:

27 SUBCHAPTER C. LICENSING AND INSPECTION OF EXPORT-IMPORT PROCESSING

28 FACILITIES

29 Sec. 146.041. DEFINITION. In this subchapter, "facility"  
30 means an export-import processing facility:

31 (1) located in this state;

1 (2) authorized under 9 C.F.R. Section 91.14; and

2 (3) that has the capacity to receive and hold animals  
3 and animal products for transportation in international trade.

4 Sec. 146.042. POWERS AND DUTIES OF DEPARTMENT. (a) The  
5 department has exclusive authority to license facilities in this  
6 state.

7 (b) The department shall adopt rules to implement,  
8 administer, and enforce this subchapter, including:

9 (1) requirements to obtain and renew a license;

10 (2) standards governing a license holder's operation  
11 of a facility necessary to protect the public's health, safety, and  
12 welfare and the safety of animals held by a facility;

13 (3) fees for the issuance and renewal of a license in  
14 amounts necessary to recover the department's direct and indirect  
15 costs of administering this subchapter; and

16 (4) a schedule of sanctions for violations of this  
17 subchapter and rules adopted under this subchapter.

18 (c) A governmental entity is exempt from the license and  
19 renewal fees under Subsection (b)(3).

20 Sec. 146.043. LICENSE REQUIRED. A person may not operate a  
21 facility unless the person holds a license issued under this  
22 subchapter.

23 Sec. 146.044. ENFORCEMENT. (a) The department may impose  
24 an administrative penalty or other administrative sanction for a  
25 violation of this subchapter or a rule adopted under this  
26 subchapter, including a penalty or sanction under Section 12.020 or  
27 12.0201.

1        (b) The department may suspend or revoke a license for a  
2 violation of this subchapter or a rule adopted under this  
3 subchapter.

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

9        SECTION 4. This Act takes effect immediately if it receives  
10 a vote of two-thirds of all the members elected to each house, as  
11 provided by Section 39, Article III, Texas Constitution. If this  
12 Act does not receive the vote necessary for immediate effect, this  
13 Act takes effect September 1, 2017.