86R3535 BEF-D

By:  Lambert H.B. No. 1284

A BILL TO BE ENTITLED

AN ACT

relating to egg grading.

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

SECTION 1.  Section 132.002, Agriculture Code, is amended to read as follows:

Sec. 132.002.  SALE OF UNGRADED EGGS BY PRODUCER [~~LIMITATION OF CHAPTER~~]. (a) Except as provided by Subsection (b), this [~~This~~] chapter does not apply to a person selling only eggs that are produced by the person's own flock and for which the person does not claim a grade.

(b)  A person who produces eggs as described by Subsection (a) may sell the eggs directly to a consumer or at wholesale if the eggs are clearly labeled as "ungraded."

(c)  A state agency or political subdivision may not prohibit a person described by Section 132.021(b) from purchasing, reselling, or using eggs described by Subsection (b).

SECTION 2.  Section 132.043(c), Agriculture Code, is amended to read as follows:

(c)  Licensees required by this section to collect or pay a special fee shall remit the fee [~~monthly~~] in accordance with rules established by the department. The rules may not require a licensee to remit the fee more often than:

(1)  monthly; or

(2)  annually, if the licensee is required to remit less than $360 for the year.

SECTION 3.  Not later than December 1, 2019, the Department of Agriculture shall adopt rules consistent with Section 132.043(c), Agriculture Code, as amended by this Act.

SECTION 4.  This Act takes effect September 1, 2019.