

By: Nevárez

H.B. No. 1563

A BILL TO BE ENTITLED

AN ACT

relating to the licensing and regulation of animal export-import processing facilities; providing penalties; requiring an occupational license; authorizing fees.

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

SECTION 1. Chapter 161, Agriculture Code, is amended by adding Subchapter E-1 to read as follows:

SUBCHAPTER E-1. LICENSING AND INSPECTION OF EXPORT-IMPORT
PROCESSING FACILITIES

Sec. 161.091. DEFINITION. In this subchapter, "facility" means an export-import processing facility that:

(1) is located in this state;

(2) is authorized under 9 C.F.R. Part 91, Subpart B;

and

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

Sec. 161.092. POWERS AND DUTIES OF COMMISSION. (a) The commission has exclusive authority to license facilities in this state.

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

(1) requirements to obtain and renew a license;

(2) standards governing a license holder's operation of a facility necessary to protect the public's health, safety, and

1 welfare and the safety of animals held by a facility;

2 (3) fees for the issuance and renewal of a license in
3 amounts necessary to recover the commission's direct and indirect
4 costs of administering this subchapter; and

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

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

9 Sec. 161.093. LICENSE REQUIRED. A person may not operate a
10 facility unless the person holds a license issued under this
11 subchapter.

12 Sec. 161.094. ENFORCEMENT. (a) The commission may impose
13 an administrative penalty or other administrative sanction for a
14 violation of this subchapter or a rule adopted under this
15 subchapter. Notwithstanding Section 161.148(b), the amount of an
16 administrative penalty for a violation of a rule adopted under
17 Section 161.092 may not exceed \$5,000.

18 (b) The commission may suspend or revoke a license for a
19 violation of this subchapter or a rule adopted under this
20 subchapter.

21 SECTION 2. Sections 161.093 and 161.094, Agriculture Code,
22 as added by this Act, do not apply before the 90th day after rules
23 adopted under Section 161.092(b), Agriculture Code, as added by
24 this Act, become effective.

25 SECTION 3. This Act takes effect immediately if it receives
26 a vote of two-thirds of all the members elected to each house, as
27 provided by Section 39, Article III, Texas Constitution. If this

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1 Act does not receive the vote necessary for immediate effect, this
2 Act takes effect September 1, 2019.