

1-1 By: Rodríguez S.B. No. 1805  
1-2 (In the Senate - Filed March 7, 2019; March 18, 2019, read  
1-3 first time and referred to Committee on Health & Human Services;  
1-4 April 17, 2019, reported adversely, with favorable Committee  
1-5 Substitute by the following vote: Yeas 9, Nays 0; April 17, 2019,  
1-6 sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	Kolkhorst	X		
1-10	Perry	X		
1-11	Buckingham	X		
1-12	Campbell	X		
1-13	Flores	X		
1-14	Johnson	X		
1-15	Miles	X		
1-16	Powell	X		
1-17	Seliger	X		

1-18 COMMITTEE SUBSTITUTE FOR S.B. No. 1805 By: Perry

1-19 A BILL TO BE ENTITLED  
1-20 AN ACT

1-21 relating to egg grading.

1-22 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-23 SECTION 1. Section 132.002, Agriculture Code, is amended to  
1-24 read as follows:

1-25 Sec. 132.002. SALE OF UNGRADED EGGS BY PRODUCER [~~LIMITATION~~  
1-26 ~~OF CHAPTER~~]. (a) Except as provided by Subsection (b), this  
1-27 [~~This~~] chapter does not apply to a person selling only eggs that are  
1-28 produced by the person's own flock and for which the person does not  
1-29 claim a grade.

1-30 (b) A person who produces eggs as described by Subsection  
1-31 (a) may sell the eggs directly to a consumer or at wholesale if the  
1-32 eggs are sold in a carton labeled with "ungraded" followed by  
1-33 "produced by (producer's name)" and the producer's address. The  
1-34 label information must be legible, must appear on the top panel of  
1-35 the carton, and may be preprinted on the carton, printed on a label  
1-36 attached to the carton, or hand printed on the carton. The carton  
1-37 may not display the name of a retailer or of a producer other than  
1-38 the producer whose flock produced the eggs.

1-39 (c) A state agency or political subdivision may not prohibit  
1-40 a person described by Section 132.021(b) from purchasing,  
1-41 reselling, or using eggs described by Subsection (b).

1-42 SECTION 2. Section 132.043(c), Agriculture Code, is amended  
1-43 to read as follows:

1-44 (c) Licensees required by this section to collect or pay a  
1-45 special fee shall remit the fee [~~monthly~~] in accordance with rules  
1-46 established by the department. The rules may not require a licensee  
1-47 to remit the fee more often than:

1-48 (1) monthly; or  
1-49 (2) annually, if the licensee is required to remit  
1-50 less than \$360 for the year.

1-51 SECTION 3. Not later than December 1, 2019, the Department  
1-52 of Agriculture shall adopt rules consistent with Section  
1-53 132.043(c), Agriculture Code, as amended by this Act.

1-54 SECTION 4. This Act takes effect immediately if it receives  
1-55 a vote of two-thirds of all the members elected to each house, as  
1-56 provided by Section 39, Article III, Texas Constitution. If this  
1-57 Act does not receive the vote necessary for immediate effect, this  
1-58 Act takes effect September 1, 2019.

1-59 \* \* \* \* \*