

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION

March 24, 2019

TO: Honorable Drew Springer, Chair, House Committee on Agriculture & Livestock

FROM: John McGeady, Assistant Director Sarah Keyton, Assistant Director
 Legislative Budget Board

IN RE: HB1591 by Springer (Relating to the regulation of disease control by the Animal Health Commission.), **As Introduced**

Estimated Two-year Net Impact to General Revenue Related Funds for HB1591, As Introduced: a negative impact of (\$1,470,586) through the biennium ending August 31, 2021.

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

General Revenue-Related Funds, Five-Year Impact:

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2020	(\$862,223)
2021	(\$608,363)
2022	(\$609,563)
2023	(\$610,793)
2024	(\$612,053)

All Funds, Five-Year Impact:

Fiscal Year	Probable Savings/(Cost) from <i>General Revenue Fund</i> 1	Change in Number of State Employees from FY 2019
2020	(\$862,223)	6.0
2021	(\$608,363)	6.0
2022	(\$609,563)	6.0
2023	(\$610,793)	6.0
2024	(\$612,053)	6.0

Fiscal Analysis

The bill would amend the Agriculture Code and Parks and Wildlife Code to include native cervidae in the class of animals the Animal Health Commission is required to protect from certain diseases, including transmissible spongiform encephalopathies (i.e. Chronic Wasting Disease) and other diseases recognized as communicable by the veterinary profession. Additionally, the bill would require the Animal Health Commission and work collaboratively with the Parks and Wildlife Department to efficiently carry out its animal health responsibilities and prohibit the Texas Parks and Wildlife Commission from making regulations concerning breeder deer based on disease control efforts under the jurisdiction of the Animal Health Commission. The bill would take effect immediately upon a two-thirds vote, or on September 1, 2019.

Based on analysis of the Animal Health Commission, the fiscal impact to the agency under the provisions of the bill would be \$1,470,586 for the 2020-21 biennium, and a five year impact of \$3,302,994 in General Revenue. Costs include salaries for 6.0 FTEs, other operating costs, travel, capital equipment (i.e. vehicles), and benefits. The agency would expand its current Cervid Health Program to include native cervidae for disease surveillance and control efforts.

The Parks and Wildlife Department indicated the duties and responsibilities associated with implementing the provisions of the bill could be accomplished by utilizing existing resources.

Methodology

Cervidae native to the state are white-tail deer and mule deer. According Texas A&M AgriLife Extension Services, Texas is home to approximately 3.6 million white-tail deer and 250,000 mule deer. Parks and Wildlife Code, Sections 63.001 and 63.002, define these deer as game animals and under the jurisdiction of the Parks and Wildlife Department as natural resources of the state. The bill would not alter the definition of white-tail deer and mule deer and it is assumed that the Parks and Wildlife Department would continue its current wildlife management activities related to native cervidae while no longer making regulations concerning breeder deer based on disease control efforts.

Currently, the Animal Health Commission is required to protect livestock, exotic livestock, domestic fowl, and exotic fowl from a variety of diseases, such as tuberculosis, equine infectious anemia, foot-and-mouth disease, among others. This includes farmed non-native cervidae (e.g. elk, red deer, moose, etc.) which are regarded as exotic livestock. The bill would include native cervidae as animals the Animal Health Commission is required to protect from transmissible spongiform encephalopathies and other diseases recognized as communicable by the veterinary profession. This would include all wild native deer and captive native deer held in breeding facilities.

The Animal Health Commission estimates the bill provisions would require one Attorney IV (1.0 FTEs), one Administrative Assistant IV (1.0 FTEs), three Fish and Wildlife Technicians III (3.0 FTEs), and one Veterinarian III (1.0 FTEs). Based on LBB analysis, the additional FTEs would have a combined fiscal year cost of \$501,423 for salaries (\$371,617) and related benefits (\$129,806). Additionally, the agency estimates it would require four vehicles (off-road capable trucks) and training in fiscal year 2020 with a combined cost of \$228,000.

The additional attorney would be required to draft rules, coordinate with legal staff at the Parks and Wildlife Department, and respond to inquiries from agency staff and deer breeding operators. The additional administrative assistant would manage inspection and investigation filings by agency staff. The fish and wildlife technicians would conduct field inspections, assist in

investigations, provide educational outreach, and support field surveillance programs. The veterinarian would direct disease control efforts related to native cervidae in the wild and in breeding facilities and assist legal counsel regarding rules for disease monitoring and control.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 554 Animal Health Commission, 802 Parks and Wildlife Department

LBB Staff: WP, SZ, MW, TBo