**BILL ANALYSIS**

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| Senate Research Center | H.B. 3856 |
| 87R7586 MP-F | By: Rogers (Springer) |
|  | Water, Agriculture & Rural Affairs |
|  | 5/3/2021 |
|  | Engrossed |

**AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

The current administrative penalty for the Texas Animal Health Commission (TAHC) under Section 161.148, Agricultural Code, is $1,000. A penalty amount of $5,000 is commonly used by other state agencies and is included in the Texas Legislative Council drafting manual. Currently, TAHC does not have the authority to assess penalties on a per head basis with large trailer loads of animals entering the state, and so the penalty is assessed on a per trailer basis. A $1,000 penalty is not an adequate deterrent for repeat offenders.

H.B. 3856 amends current law relating to administrative penalties imposed by the Texas Animal Health Commission.

**RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

**SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Sections 161.148(a) and (b), Agriculture Code, as follows:

(a) Authorizes the Texas Animal Health Commission to impose an administrative penalty on a person who violates Subtitle C (Control of Animal Diseases and Pests) or a rule or order adopted under Subtitle C, rather than impose an administrative penalty against a person who violates a rule or order adopted under Subtitle C.

(b) Authorizes the penalty for a violation to be in an amount not to exceed $5,000, rather than an amount not to exceed $1,000.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 2021.