

BILL ANALYSIS

H.B. 3856
By: Rogers
Agriculture & Livestock
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Concerns have been raised regarding the effectiveness of administrative penalties imposed by the Texas Animal Health Commission (TAHC) on a person who violates certain rules or orders regarding the control of animal diseases and pests. It has been suggested that the penalty amount for these violations is too low to sufficiently deter repeat offenders' egregious conduct, given that the TAHC is limited in its authority to assess these penalties. H.B. 3856 seeks to remedy this situation by increasing the maximum penalty amount that may be imposed by the TAHC for these violations.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 3856 amends the Agriculture Code to increase from \$1,000 to \$5,000 the maximum amount of an administrative penalty that may be imposed by the Texas Animal Health Commission (TAHC) for a violation of a rule or order adopted under provisions relating to the control of animal diseases and pests. The bill authorizes the TAHC to impose such an administrative penalty for a violation of those provisions.

EFFECTIVE DATE

September 1, 2021.