

BILL ANALYSIS

C.S.S.B. 1997
By: Springer
Agriculture & Livestock
Committee Report (Substituted)

BACKGROUND AND PURPOSE

It has been noted in a recent Sunset Advisory Commission report that under Texas law, the term "hog cholera" does not align with the more common and updated term of the disease, "classical swine fever," that is used at the federal level. Under current Texas statute, owners and county agents are authorized to vaccinate hogs for classical swine fever, formerly known as hog cholera, but that access to and use of that live virus vaccine is restricted at the federal level because classical swine fever has been eradicated in the United States and is now considered a foreign animal disease. The classical swine fever virus is also on the federal list of controlled biological agents and toxins. C.S.S.B. 1997 seeks to address this discrepancy by updating the disease name and authorizing the Texas Animal Health Commission to adopt rules for the methods of disease eradication and to vaccinate, inoculate, or treat hogs with classical swine fever.

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 rulemaking authority is expressly granted to the Texas Animal Health Commission in SECTION 4 of this bill.

ANALYSIS

C.S.S.B. 1997 amends the Agriculture Code to specify that a representative of the Texas Animal Health Commission (TAHC) or other TAHC-authorized person is authorized to vaccinate, inoculate, or treat hogs with classical swine fever. The bill removes authorization for a hog owner or a county demonstration agent to engage in those activities. The bill authorizes the TAHC by a two-thirds vote to adopt rules for the enforcement of the cooperative program for disease eradication, including rules providing for the manner, method, and system of eradicating swine diseases, that are more stringent than minimum standards for cooperative programs adopted by the U.S. Department of Agriculture's Animal and Plant Health Inspection Service. The bill replaces language referencing hog cholera with language referencing classical swine fever but establishes that such references are a clarification of existing law and do not imply that existing law may be construed as inconsistent with the law as amended by the bill.

EFFECTIVE DATE

September 1, 2021.

COMPARISON OF SENATE ENGROSSED AND SUBSTITUTE

While C.S.S.B. 1997 may differ from the engrossed in minor or nonsubstantive ways, the following summarizes the substantial differences between the engrossed and committee substitute versions of the bill.

The substitute does not include a changes made in the engrossed that replaced a reference to hog cholera in the list of diseases from which the TAHC is required to protect all livestock, exotic livestock, domestic fowl, and exotic fowl with a reference to classical swine fever.