

BILL ANALYSIS

Senate Research Center
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S.B. 1997
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AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

In Chapter 165, hog cholera is changed to classical swine fever. Classical swine fever is a serious, often fatal contagious disease. The existing statute authorizes owner and county agents to vaccinate swine for classical swine fever formerly known as "hog cholera." However, the United States Department of Agriculture and the Centers for Disease Control and Prevention now restrict access to this vaccine to approved veterinarians and federal and state regulators because it contains the live virus and is on the federal list of controlled biological agents and toxins. This follows a Sunset Advisory Commission recommendation (page 30-31, Sunset Staff Report with Commission Decisions).

S.B. 1997 simply updates the disease name in statute from the outdated term "hog cholera" to classical swine fever, and allows the Texas Animal Health Commission to adopt rules for the methods of disease eradication if passed by two-thirds vote.

As proposed, S.B. 1997 amends current law relating to the control of diseases of swine.

RULEMAKING AUTHORITY

Rulemaking authority previous granted to the Texas Animal Health Commission is modified in SECTION 5 (Section 165.022, Agriculture Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 161.041(a), Agriculture Code, to require the Texas Animal Health Commission (TAHC) to protect all livestock, exotic livestock, domestic fowl, and exotic fowl from the classical swine fever, rather than hog cholera.

SECTION 2. Amends Section 165.002, Agriculture Code, as follows:

Sec. 165.002. New heading: TREATMENT. Authorizes a representative of TAHC or a person authorized by TAHC, except as otherwise provided by law, to vaccinate, inoculate, or treat hogs with classical swine fever virus or serum or with another remedy. Deletes existing text authorizing a person, except as otherwise provided by law, to vaccinate, inoculate, or treat hogs owned by that person with hog cholera virus or serum or with another remedy, and authorizing a county demonstration agent to vaccinate, inoculate, or treat any hogs in the county in which the agent is employed with hog cholera virus or serum or with another remedy.

SECTION 3. Amends Section 165.003, Agriculture Code, as follows:

Sec. 165.003. New heading: SALE OR DISTRIBUTION OF UNATTENUATED CLASSICAL SWINE FEVER VIRUS. (a)-(c) Makes conforming changes.

SECTION 4. Amends Section 165.021, Agriculture Code, to make a conforming change.

SECTION 5. Amends Section 165.022, Agriculture Code, as follows:

Sec. 165.022. METHOD OF DISEASE ERADICATION. (a) Creates this subsection from existing text and makes no further changes.

(b) Authorizes TAHC to by a two-thirds vote adopt rules under this section that are more stringent than the minimum standards, rather than prohibits TAHC from exceeding the rules relating to minimum standards, for cooperative programs adopted by the Animal and Plant Health Inspection Service of the United States Department of Agriculture.

SECTION 6. Amends the heading to Section 165.042, Agriculture Code, to read as follows:

Sec. 165.042. SALE OF UNATTENUATED CLASSICAL SWINE FEVER VIRUS.

SECTION 7. Provides that the amendments made by this Act to replace references to "hog cholera" with "classical swine fever" are a clarification of existing law and do not imply that existing law is authorized to be construed as inconsistent with the law as amended by this Act.

SECTION 8. Effective date: September 1, 2021.