

By: Rogers

H.B. No. 3855

A BILL TO BE ENTITLED

AN ACT

relating to the control of diseases of swine.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 165.002, Agriculture Code, is amended to read as follows:

Sec. 165.002. ~~OWNER~~ TREATMENT. Except as otherwise provided by law, a representative of the commission or a person authorized by the commission may vaccinate, inoculate, or treat hogs ~~[owned by that person]~~ with classical swine fever ~~[hog cholera]~~ virus or serum or with another remedy~~[, and a county demonstration agent may 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 2. Section 165.003, Agriculture Code, is amended to read as follows:

Sec. 165.003. SALE OR DISTRIBUTION OF UNATTENUATED CLASSICAL SWINE FEVER ~~[HOG CHOLERA]~~ VIRUS. (a) A person may not sell, offer for sale, barter, exchange, or give away unattenuated classical swine fever ~~[hog cholera]~~ virus.

(b) This section does not prohibit:

(1) acquisition, propagation, manufacture, or use of unattenuated classical swine fever ~~[hog cholera]~~ virus by, and on the licensed premises of, a firm operating under a United States veterinary license issued by the secretary of agriculture of the

1 United States;

2 (2) manufacture of unattenuated classical swine fever
3 [~~hog cholera~~] virus by a firm operating under a United States
4 veterinary license for the sale or distribution in states in which
5 use of attenuated classical swine fever [~~hog cholera~~] virus is
6 permitted; or

7 (3) keeping vaccine on hand for purely experimental or
8 research activities by a recognized college, university, school, or
9 laboratory engaged in research activities.

10 (c) In this section, "unattenuated classical swine fever
11 [~~hog cholera~~] virus" means a classical swine fever [~~hog cholera~~]
12 virus that has not been modified or inactivated.

13 SECTION 3. Section 165.021, Agriculture Code, is amended to
14 read as follows:

15 Sec. 165.021. COOPERATION WITH U.S. DEPARTMENT OF
16 AGRICULTURE. The commission may cooperate with the United States
17 Department of Agriculture in the eradication of vesicular
18 exanthema, foot and mouth disease of swine, classical swine fever
19 [~~hog cholera~~], and other diseases of swine.

20 SECTION 4. Section 165.022, Agriculture Code, is amended to
21 read as follows:

22 Sec. 165.022. METHOD OF DISEASE ERADICATION. (a) Following
23 notice and public hearing, the commission shall adopt rules for the
24 enforcement of this subchapter, including rules providing for the
25 manner, method, and system of eradicating swine diseases.

26 (b) The commission may by a two-thirds vote adopt rules
27 under this section that are more stringent than the [~~may not exceed~~

1 ~~the rules relating to~~] minimum standards for cooperative programs
2 adopted by the Animal and Plant Health Inspection Service of the
3 United States Department of Agriculture.

4 SECTION 5. The heading to Section 165.042, Agriculture
5 Code, is amended to read as follows:

6 Sec. 165.042. SALE OF UNATTENUATED CLASSICAL SWINE FEVER
7 ~~[HOG CHOLERA]~~ VIRUS.

8 SECTION 6. The amendments made by this Act to replace
9 references to "hog cholera" with "classical swine fever" are a
10 clarification of existing law and do not imply that existing law may
11 be construed as inconsistent with the law as amended by this Act.

12 SECTION 7. This Act takes effect September 1, 2021.