

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 161.041(a), Agriculture Code, is amended to read as follows:

(a) The commission shall protect all livestock, exotic livestock, domestic fowl, and exotic fowl from the following:

- (1) tuberculosis;
- (2) anthrax;
- (3) glanders;
- (4) infectious abortion;
- (5) hemorrhagic septicemia;
- (6) classical swine fever [~~hog cholera~~];
- (7) Malta fever;
- (8) foot-and-mouth disease;
- (9) rabies among animals other than canines;
- (10) bacillary white diarrhea among fowl;
- (11) equine infectious anemia; and
- (12) other diseases recognized as communicable by the

veterinary profession.

SECTION 2. 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

1 authorized by the commission may vaccinate, inoculate, or treat
2 hogs [~~owned by that person~~] with classical swine fever [~~hog~~
3 ~~cholera~~] virus or serum or with another remedy[~~, and a county~~
4 ~~demonstration agent may vaccinate, inoculate, or treat any hogs in~~
5 ~~the county in which the agent is employed with hog cholera virus or~~
6 ~~serum or with another remedy~~].

7 SECTION 3. Section 165.003, Agriculture Code, is amended to
8 read as follows:

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

13 (b) This section does not prohibit:

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

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

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

27 (c) In this section, "unattenuated classical swine fever

1 [~~hog cholera~~] virus" means a classical swine fever [~~hog cholera~~]
2 virus that has not been modified or inactivated.

3 SECTION 4. Section 165.021, Agriculture Code, is amended to
4 read as follows:

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

10 SECTION 5. Section 165.022, Agriculture Code, is amended to
11 read as follows:

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

16 (b) The commission may by a two-thirds vote adopt rules
17 under this section that are more stringent than the [~~may not exceed~~
18 ~~the rules relating to~~] minimum standards for cooperative programs
19 adopted by the Animal and Plant Health Inspection Service of the
20 United States Department of Agriculture.

21 SECTION 6. The heading to Section 165.042, Agriculture
22 Code, is amended to read as follows:

23 Sec. 165.042. SALE OF UNATTENUATED CLASSICAL SWINE FEVER
24 [~~HOG CHOLERA~~] VIRUS.

25 SECTION 7. The amendments made by this Act to replace
26 references to "hog cholera" with "classical swine fever" are a
27 clarification of existing law and do not imply that existing law may

1 be construed as inconsistent with the law as amended by this Act.

2 SECTION 8. This Act takes effect September 1, 2021.