

BILL ANALYSIS

S.B. 1372
By: Perry
Culture, Recreation & Tourism
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Legislation enacted in 2013 addressed the emergence of chronic wasting disease (CWD) in Texas breeder facilities. Current law requires postmortem testing on all mortalities in a deer breeding facility to detect if CWD is present in the facility. When CWD is detected, the Parks and Wildlife Department (TPWD) can then work with the landowner to formulate a herd management plan that prevents the spread of the disease. In some cases, though, the plan includes the destruction and disposal of all deer in a facility, a depopulation. The depopulation process adds additional costs billed to the facility by TPWD, which is already experiencing a hardship with the order of destruction. S.B. 1372 seeks to address this issue by allowing TPWD to waive the costs associated with depopulation under certain circumstances.

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

S.B. 1372 amends the Parks and Wildlife Code to require the Parks and Wildlife Department (TPWD) to waive the costs associated with the destruction of breeder deer at a facility covered by a deer breeder's permit where a breeder deer has tested positive for chronic wasting disease in a test performed by a testing laboratory accredited by the Animal and Plant Health Inspection Service of the U.S. Department of Agriculture. However, the bill prohibits TPWD from waiving testing costs if TPWD determines that the permit holder or an agent of the permit holder, in violation of statutory provisions relating to special licenses and permits issued by TPWD or a regulation of the Parks and Wildlife Commission, caused either of the following to occur:

- the introduction of chronic wasting disease into the facility; or
- a delay in the detection of chronic wasting disease at the facility.

The bill applies only to the payment of costs arising from the destruction of deer commenced on or after the bill's effective date.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2023.