

BILL ANALYSIS

Senate Research Center
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S.B. 1372
By: Perry
Water, Agriculture, & Rural Affairs
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Section 43.955, Parks and Wildlife Code, was enacted in 2013 to address the emergence of Chronic Wasting Disease (CWD) in Texas breeder facilities. Current statute requires post-mortem testing on all mortalities in a deer breeding facility to detect the disease in a facility. When CWD is detected, the Texas 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 addresses the issue of costs associated with a depopulation by allowing TPWD the ability to waive the costs associated under certain circumstances.

Under S.B. 1372:

- TPWD may waive the costs when CWD is detected by an accredited laboratory.
- TPWD determines that the infection of CWD was through no fault of the permit holder.
- Applies only to destruction of deer on or after the effective date of the Act.
- Requests a two-thirds vote to immediately pass this Act, or the Act takes effect September 1, 2023.

As proposed, S.B. 1372 amends current law relating to costs associated with the destruction of certain deer.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 43.955, Parks and Wildlife Code, as follows:

Sec. 43.955. COST RECOVERY. (a) Creates this subsection from existing text. Creates an exception under Subsection (b).

(b) Authorizes the Texas Parks and Wildlife Department (TPWD) to waive the costs associated with the destruction under Subchapter X (Deer Disposition Protocol) of breeder deer at a facility covered by a permit issued under Subchapter L (Deer Breeder's Permit) if:

- (1) a breeder deer at the facility has tested positive for chronic wasting disease in a test performed by an accredited testing laboratory; and
- (2) TPWD determines that the breeder deer's infection with chronic wasting disease was not the fault of the permit holder.

SECTION 2. Makes application of Section 43.955, Parks and Wildlife Code, as amended by this Act, prospective.

SECTION 3. Effective date: upon passage or September 1, 2023.