

By: Cain, et al.

H.B. No. 2945

Substitute the following for H.B. No. 2945:

By: Cain

C.S.H.B. No. 2945

A BILL TO BE ENTITLED

AN ACT

relating to egg grading and the selling of ungraded eggs; requiring an occupational license.

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

SECTION 1. Section 132.002, Agriculture Code, is amended to read as follows:

Sec. 132.002. SALE OF UNGRADED EGGS BY PRODUCER [~~LIMITATION OF CHAPTER~~]. (a) Except as provided by this section, this [~~This~~] chapter does not apply to a person selling only eggs that are produced by the person's own flock and for which the person does not claim a grade.

(b) A person who produces eggs as described by Subsection (a) may sell up to 120 dozen ungraded eggs per week directly to consumers or at wholesale.

(c) A person who produces eggs as described by Subsection (a) may not sell the eggs at wholesale unless the person holds a license as an ungraded dealer-wholesaler issued by the department. The license must be renewed as provided by Section 132.024.

(d) A person who holds a license described by Subsection (c) shall maintain records as provided by Section 132.061.

(e) A person who holds a license described by Subsection (c) shall follow the sanitation requirements of Section 132.045 when handling eggs sold or offered for sale at wholesale.

(f) A person who sells ungraded eggs as provided by

1 Subsection (b) shall label the cartons of eggs with a label that:

2 (1) is legible;

3 (2) appears on the top panel of the carton; and

4 (3) contains:

5 (A) the word "ungraded";

6 (B) the producer's name;

7 (C) the producer's address;

8 (D) the producer's license number under

9 Subsection (c), if the eggs are sold or offered for sale at  
10 wholesale; and

11 (E) the date the carton was packed.

12 SECTION 2. Section 132.043(c), Agriculture Code, is amended  
13 to read as follows:

14 (c) Licensees required by this section to collect or pay a  
15 special fee shall remit the fee [~~monthly~~] in accordance with rules  
16 established by the department. The rules may not require a licensee  
17 to remit the fee more often than:

18 (1) monthly; or

19 (2) annually, if the licensee is required to remit  
20 less than \$360 for the year.

21 SECTION 3. Not later than December 1, 2023, the Department  
22 of Agriculture shall adopt rules consistent with Section  
23 132.043(c), Agriculture Code, as amended by this Act.

24 SECTION 4. This Act takes effect immediately if it receives  
25 a vote of two-thirds of all the members elected to each house, as  
26 provided by Section 39, Article III, Texas Constitution. If this  
27 Act does not receive the vote necessary for immediate effect, this

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1 Act takes effect September 1, 2023.