

By: Vasut

H.B. No. 4616

Substitute the following for H.B. No. 4616:

By: Kitzman

C.S.H.B. No. 4616

A BILL TO BE ENTITLED

AN ACT

relating to notifications by the Department of Agriculture of certain stop-sale orders applicable to plant products and the seizure or destruction of certain plant products.

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

SECTION 1. Section 12.0012, Agriculture Code, is amended to read as follows:

Sec. 12.0012. NOTIFICATIONS ~~[NOTIFICATION]~~. (a) The department shall, upon submission for publication, notify the Texas Division of Emergency Management of each quarantine it adopts. The department shall thereafter cooperate with the Texas Division of Emergency Management in implementing any necessary safeguards to protect the state's agricultural resources from potential economic, health, or ecological disaster that may result from the quarantined pest or disease.

(b) The department shall notify the governor, lieutenant governor, speaker of the house of representatives, and chairs of the house and senate committees with primary jurisdiction over the department of:

(1) a stop-sale order under Section 18.010, 19.011, or 71.060 applicable to a plant product; or

(2) the seizure or destruction of any plant product authorized by the department.

(c) A notification issued under Subsection (b) must be made

1 within 24 hours of the issuance of the order or the action taken by
2 the department and must include:

3 (1) the date and time of the order or action;

4 (2) the location of the plant product barred from
5 sale, seized, or destroyed;

6 (3) the reason for the order or action, including the
7 agency rule and statute used as justification for the order or
8 action;

9 (4) the type and quantity of the plant product barred
10 from sale, seized, or destroyed;

11 (5) if known, the name and contact information of the
12 owner or operator responsible for the plant product;

13 (6) the name and contact information of the inspector
14 or other person responsible for the order or action; and

15 (7) any other information considered relevant by the
16 department.

17 SECTION 2. This Act takes effect immediately if it receives
18 a vote of two-thirds of all the members elected to each house, as
19 provided by Section 39, Article III, Texas Constitution. If this
20 Act does not receive the vote necessary for immediate effect, this
21 Act takes effect September 1, 2023.