

By: Guillen

H.B. No. 1417

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the establishment of an electronic registry of  
3 livestock marks and brands.

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

5 SECTION 1. Section 144.001(a), Agriculture Code, is amended  
6 to read as follows:

7 (a) Each person who has cattle, hogs, sheep, or goats shall  
8 have and may use one or more earmarks, brands, tattoos, ~~or~~  
9 electronic devices, or other generally accepted identification  
10 methods differing from the earmarks, brands, tattoos, ~~and~~  
11 electronic devices, and other generally accepted identification  
12 methods of the person's neighbors.

13 SECTION 2. Section 144.041, Agriculture Code, is amended by  
14 amending Subsections (a), (c), (f), and (h) and adding Subsection  
15 (i) to read as follows:

16 (a) Each person who owns cattle, hogs, sheep, or goats shall  
17 record that person's earmarks, brands, tattoos, ~~and~~ electronic  
18 devices, and other generally accepted identification methods with  
19 the county clerk of the county in which the animals are located.

20 (c) The county clerk shall make and keep an electronic ~~a~~  
21 record of the marks and brands of each person who applies to the  
22 clerk for recording of a mark or brand ~~that purpose~~.

23 (f) Not later than the 30th day after the date a county clerk  
24 receives a record relating to cattle or horses under this section,

1 the clerk shall deliver an electronic copy of the record to the  
2 Texas Animal Health Commission as described by Section 144.102(d)  
3 ~~[forward a copy of the record to the association authorized to~~  
4 ~~inspect livestock under 7 U.S.C. Section 217a]~~.

5 (h) A county clerk shall ~~[may]~~ accept electronic filing or  
6 rerecording of an earmark, brand, tattoo, electronic device, or  
7 other type of mark for which a recording is required under this  
8 chapter or other law.

9 (i) A person required to record an earmark, brand, tattoo,  
10 electronic device, or other type of mark may authorize an agent to  
11 record the mark under this section. The authorization must be in  
12 writing.

13 SECTION 3. Section 144.042, Agriculture Code, is amended to  
14 read as follows:

15 Sec. 144.042. RECORDING. In recording a mark, electronic  
16 device, tattoo, ~~[or]~~ brand, or other generally accepted  
17 identification method, the person recording the mark ~~[county clerk]~~  
18 shall note the date on which the mark, electronic device, tattoo,  
19 ~~[or]~~ brand, or other generally accepted identification method is  
20 recorded. In addition, the person recording a mark, electronic  
21 device, tattoo, ~~[or]~~ brand, or other generally accepted  
22 identification method shall designate the part of the animal on  
23 which the mark, electronic device, tattoo, ~~[or]~~ brand, or other  
24 generally accepted identification method is to be placed ~~[and the~~  
25 ~~clerk shall include that in the records]~~.

26 SECTION 4. Sections 144.044(a) and (d), Agriculture Code,  
27 are amended to read as follows:

1 (a) Not later than six months after September 1 [~~August 30~~]  
2 of 2031 [~~1981~~] and [~~of~~] every 10th year thereafter, each person who  
3 owns livestock mentioned in this chapter shall have that person's  
4 marks and brands recorded or rerecorded with the county clerk,  
5 regardless of whether or not the marks or brands have been  
6 previously recorded.

7 (d) Not later than the 30th day after the date a county clerk  
8 receives a record relating to cattle or horses under this section,  
9 the clerk shall deliver an electronic copy of the record to the  
10 Texas Animal Health Commission as described by Section 144.102(d)  
11 [~~forward a copy of the record to the association authorized to~~  
12 ~~inspect livestock under 7 U.S.C. Section 217a~~].

13 SECTION 5. Chapter 144, Agriculture Code, is amended by  
14 adding Subchapter D to read as follows:

15 SUBCHAPTER D. ELECTRONIC REGISTRY OF MARKS AND BRANDS

16 Sec. 144.101. DEFINITION. In this subchapter, "commission"  
17 means the Texas Animal Health Commission.

18 Sec. 144.102. ELECTRONIC REGISTRY OF MARKS AND BRANDS. (a)  
19 The commission shall establish and maintain on its Internet website  
20 a publicly available and searchable registry of marks and brands  
21 recorded with a county clerk under Subchapter C.

22 (b) The electronic registry of marks and brands may not  
23 provide to the general public any personal identifying information  
24 of a person associated with a recorded mark or brand.

25 (c) The commission shall establish a process for law  
26 enforcement to access the registry and obtain for law enforcement  
27 purposes personal identifying information of a person associated

1 with a recorded mark or brand.

2 (d) The commission shall adopt rules and procedures to  
3 implement this section, including a process for:

4 (1) a person to record a mark or brand with a county  
5 clerk through an electronic method, in a form and manner prescribed  
6 by the commission; and

7 (2) a county clerk to deliver to the commission an  
8 electronic record of a mark or brand that has been recorded with the  
9 county clerk, including any records of a mark or brand that was  
10 recorded with the county clerk before the establishment of the  
11 electronic registry.

12 SECTION 6. Section 161.002(a), Agriculture Code, is amended  
13 to read as follows:

14 (a) A person is subject to this chapter as the caretaker of  
15 an animal and is presumed to control the animal if the person:

16 (1) is the owner or lessee of the pen, pasture, or  
17 other place in which the animal is located and has control of that  
18 place; ~~or~~

19 (2) exercises care or control over the animal; or

20 (3) has recorded a mark or brand for the animal under  
21 Chapter 144.

22 SECTION 7. As soon as practicable after the effective date  
23 of this Act, the Texas Animal Health Commission shall adopt rules  
24 necessary to implement the changes to Chapter 144, Agriculture  
25 Code, as amended by this Act.

26 SECTION 8. This Act takes effect September 1, 2025.