

CONFERENCE COMMITTEE REPORT FORM

Austin, Texas

May 25, 2013
Date

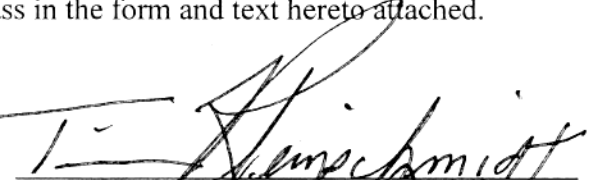
Honorable David Dewhurst
President of the Senate


Honorable Joe Straus
Speaker of the House of Representatives


Sirs:

We, Your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on HB 3569 have had the same under consideration, and beg to report it back with the recommendation that it do pass in the form and text hereto attached.

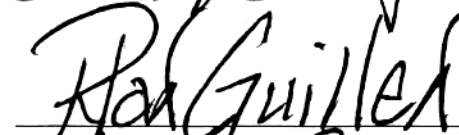

Dewhurst

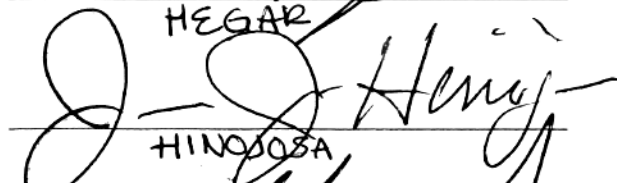

Kleinschmidt


Frates

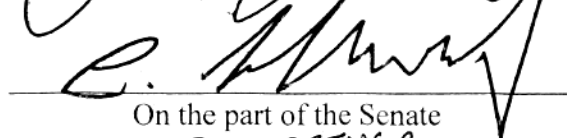

Anderson


HEGAR


Guillen


HINOJOSA


White


On the part of the Senate
SCHWERTNER


On the part of the House
Kacal

Note to Conference Committee Clerk:

Please type the names of the members of the Conference Committee under the lines provided for signature. Those members desiring to sign the report should sign each of the six copies. Attach a copy of the Conference Committee Report and a Section by Section side by side comparison to each of the six reporting forms. The original and two copies are filed in house of origin of the bill, and three copies in the other house.

CONFERENCE COMMITTEE REPORT

3rd Printing

H.B. No. 3569

A BILL TO BE ENTITLED

AN ACT

relating to activities conducted in connection with a state or federal disease control or eradication program for animals.

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

SECTION 1. Subchapter C, Chapter 161, Agriculture Code, is amended by adding Section 161.0417 to read as follows:

Sec. 161.0417. AUTHORIZED PERSONNEL FOR DISEASE CONTROL.

(a) A person, including a veterinarian, must be authorized by the commission in order to engage in an activity that is part of a state or federal disease control or eradication program for animals.

(b) The commission shall adopt rules for the authorization of a person described by Subsection (a).

(c) The commission may, after reasonable notice, suspend or revoke a person's authorization under Subsection (a) if the commission determines that the person has substantially failed to comply with this chapter or rules adopted under this chapter.

(d) A person is entitled to a hearing before the commission or a hearing examiner appointed by the commission before the commission may revoke the person's authorization under Subsection (a). The commission shall make all final decisions to suspend or revoke an authorization.

(e) This section does not affect the requirement for a license or an exemption under Chapter 801, Occupations Code, to practice veterinary medicine.

1 SECTION 2. Section 161.0601(a), Agriculture Code, is
2 amended to read as follows:

3 (a) The commission by rule may provide for the issuance,
4 including electronically, of a certificate of veterinary
5 inspection by a veterinarian to a person transporting livestock,
6 exotic livestock, domestic fowl, or exotic fowl.

7 SECTION 3. Not later than December 1, 2013, the Texas Animal
8 Health Commission shall adopt rules as required by Section
9 161.0417, Agriculture Code, as added by this Act.

10 SECTION 4. This Act takes effect September 1, 2013.

House Bill 3569
Conference Committee Report
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

No equivalent provision.

SECTION __. Section 161.041(c), Agriculture Code, is amended to include in the actions that constitute an offense under provisions regulating disease control for livestock, exotic livestock, domestic fowl, or exotic fowl a person who knowingly fails to handle, in accordance with rules adopted by the Texas Animal Health Commission, such an animal that is: exposed, as defined by commission rule, to a specified disease if the commission has notified the person that the animal was exposed to the disease; or subject to a testing requirement due to a risk of exposure, as defined by commission rule, to a specific disease if the commission has notified the person of the testing requirement. [FA1]

Same as House version.

No equivalent provision.

SECTION __. Saving provision. [FA1]

Same as House version.

SECTION 1. Subchapter C, Chapter 161, Agriculture Code, is amended by adding Section 161.0417 to read as follows:
Sec. 161.0417. AUTHORIZED PERSONNEL FOR DISEASE CONTROL. (a) A person, including a veterinarian, must be authorized by the commission in order to engage in an activity that is part of a state or federal disease control or eradication program for animals.
(b) The commission shall adopt rules for the authorization of a person described by Subsection (a).
(c) The commission may, after reasonable notice, suspend or revoke a person's authorization under Subsection (a) if the commission determines that the person has substantially failed to comply with this chapter or rules adopted under this chapter.
(d) A person is entitled to a hearing before the commission or

SECTION 1. Same as House version.

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House Bill 3569
Conference Committee Report
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HOUSE VERSION

SENATE VERSION (IE)

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a hearing examiner appointed by the commission before the commission may revoke the person's authorization under Subsection (a). The commission shall make all final decisions to suspend or revoke an authorization.

(e) This section does not affect the requirement for a license or an exemption under Chapter 801, Occupations Code, to practice veterinary medicine.

SECTION 2. Section 161.0601(a), Agriculture Code, is amended to read as follows:

(a) The commission by rule may provide for the issuance, including electronically, of a certificate of veterinary inspection by a veterinarian to a person transporting livestock, exotic livestock, domestic fowl, or exotic fowl.

SECTION 3. Not later than December 1, 2013, the Texas Animal Health Commission shall adopt rules as required by Section 161.0417, Agriculture Code, as added by this Act.

SECTION 4. Effective date.

SECTION 2. Same as House version.

SECTION 3. Same as House version.

SECTION 4. Same as House version.

SECTION 2. Same as House version.

SECTION 3. Same as House version.

SECTION 4. Same as House version.

**LEGISLATIVE BUDGET BOARD
Austin, Texas**

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

May 25, 2013

TO: Honorable David Dewhurst, Lieutenant Governor, Senate
Honorable Joe Straus, Speaker of the House, House of Representatives

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB3569 by Kleinschmidt (Relating to activities conducted in connection with a state or federal disease control or eradication program for animals.), **Conference Committee Report**

Estimated Two-year Net Impact to General Revenue Related Funds for HB3569, Conference Committee Report: a negative impact of (\$173,382) through the biennium ending August 31, 2015.

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

General Revenue-Related Funds, Five-Year Impact:

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2014	(\$86,691)
2015	(\$86,691)
2016	(\$86,691)
2017	(\$86,691)
2018	(\$86,691)

All Funds, Five-Year Impact:

Fiscal Year	Probable Savings/(Cost) from General Revenue Fund 1	Change in Number of State Employees from FY 2013
2014	(\$86,691)	1.5
2015	(\$86,691)	1.5
2016	(\$86,691)	1.5
2017	(\$86,691)	1.5
2018	(\$86,691)	1.5

Fiscal Analysis

The bill would amend the Agriculture Code requiring the Texas Animal Health Commission (TAHC) to adopt rules for the authorization of persons engaged in an activity that is part of a state

or federal disease control or eradication program for animals. Under provisions of the bill, TAHC would be required to adopt the rules by December 1, 2013. Additionally, the bill would provide for the issuance of electronically issued certificates of veterinary inspection.

Methodology

This estimate assumes the agency could provide for the development of rules concerning persons engaged in an activity that is part of a disease control or eradication program for animals within existing resources.

According to TAHC, to implement the provisions of the bill the agency would have the ongoing expense of maintaining the data of persons authorized by the commission to participate in disease control and eradication. The agency indicated it would hire 1 full-time administrative assistant and 0.5 veterinarian position for the program. This estimate assumes a yearly cost to General Revenue of \$86,691 in salaries and benefits associated with these full-time equivalent positions.

Local Government Impact

No fiscal implication to units of local government is anticipated.

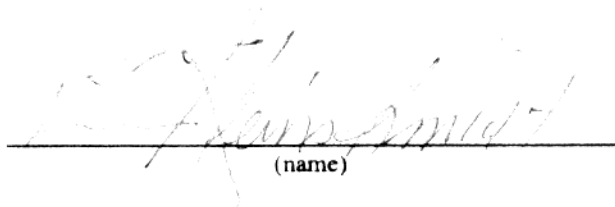
Source Agencies: 554 Animal Health Commission

LBB Staff: UP, SZ, ZS, JP

Certification of Compliance with Rule 13, Section 6(b), House Rules of Procedure

Rule 13, Section 6(b), House Rules of Procedure, requires that a copy of a conference committee report signed by a majority of each committee of the conference must be furnished to each member of the committee in person or if unable to deliver in person by placing a copy in the member's newspaper mailbox at least one hour before the report is furnished to each member of the house under Section 10(a) of this rule. The paper copies of the report submitted to the chief clerk under Section 10(b) of this rule must contain a certificate that the requirement of this subsection has been satisfied, and that certificate must be attached to the printed copy of the report furnished to each member under Section 10(d) of this rule. Failure to comply with this subsection is not a sustainable point of order under this rule.

I certify that a copy of the conference committee report on H. B. 3569 was furnished to each member of the conference committee in compliance with Rule 13, Section 6(b), House Rules of Procedure, before submission of the paper copies of the report to the chief clerk under Section 10(b), Rule 13, House Rules of Procedure.


(name)

5-25-2013
(date)