

# CONFERENCE COMMITTEE REPORT FORM

Austin, Texas

5/24/2019

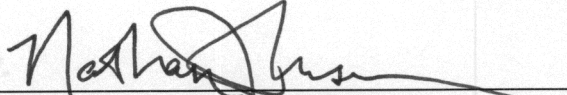
Date

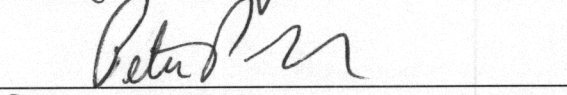
Honorable Dan Patrick  
President of the Senate

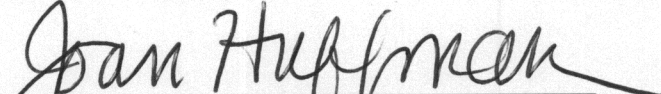
Honorable Dennis Bonnen  
Speaker of the House of Representatives

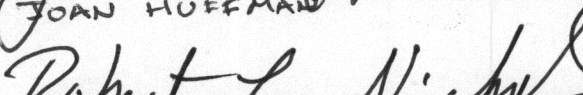
Sirs:

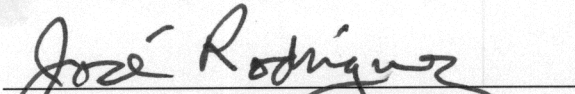
We, Your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on House Bill 410 have had the same under consideration, and beg to report it back with the recommendation that it do pass in the form and text hereto attached.

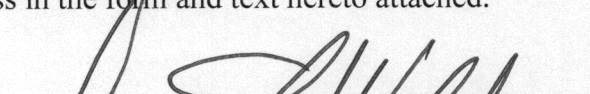
  
NATHAN JOHNSON

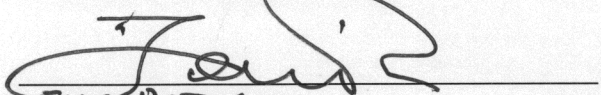
  
PETE FLORES

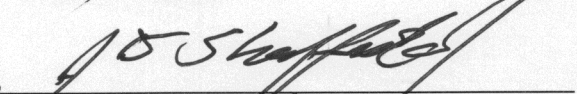
  
JOAN HUFFMAN

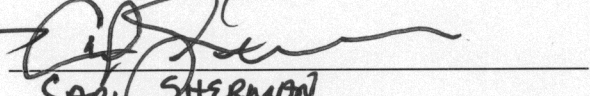
  
ROBERT NICHOLS


  
On the part of the Senate  
JOSÉ RODRIGUEZ

  
JAMES WITTIE

  
FOUR PRICE

  
J.D. SHEFFIELD

  
CARL SHERMAN

  
On the part of the House  
BILL ZEDLER

## 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

3<sup>rd</sup> Printing

H.B. No. 410

A BILL TO BE ENTITLED

AN ACT

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relating to the regulation of certain low-volume and other livestock processing establishments.

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

SECTION 1. Section 433.0245, Health and Safety Code, is amended by adding Subsections (a-1), (e), and (f) and amending Subsections (b), (c), and (d) to read as follows:

(a-1) For purposes of this section, a low-volume livestock processing establishment:

(1) includes an establishment that processes fewer than 10,000 domestic rabbits or more than 1,000 but fewer than 10,000 poultry in a calendar year; and

(2) does not include an establishment that processes 1,000 or fewer poultry raised by the operator of the establishment in a calendar year.

(b) Except as provided by Subsections (e) and (f), a [A] low-volume livestock processing establishment that is exempt from federal inspection shall register with the department in accordance with rules adopted by the executive commissioner for registration.

(c) Except as provided by Subsections (e) and (f), a [A] low-volume livestock processing establishment that is exempt from federal inspection shall develop a sanitary operation procedures plan.

(d) Except as provided by Subsection (f), if [I#]

1 contaminated livestock can be reasonably traced to a low-volume  
2 livestock processing establishment that is exempt from federal  
3 inspection, the department may request the attorney general or the  
4 district or county attorney in the jurisdiction where the facility  
5 is located to institute a civil suit to enjoin the operation of the  
6 establishment until the department determines that the  
7 establishment has been sanitized and is operating safely.

8 (e) A low-volume livestock processing establishment that is  
9 exempt from federal inspection and processes fewer than 500  
10 domestic rabbits in a calendar year is not required to comply with  
11 Subsection (b) or (c).

12 (f) An establishment described by Subsection (a-1)(2):  
13 (1) is not subject to additional state regulation; and  
14 (2) may sell poultry products directly to consumers.

15 SECTION 2. This Act takes effect September 1, 2019.

**House Bill 410**  
Conference Committee Report  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (CS)

CONFERENCE

*No equivalent provision.*

SECTION 1. Section 433.003, Health and Safety Code, is amended.

Same as House version.

*No equivalent provision.*

SECTION 2. Section 433.005, Health and Safety Code, is amended.

Same as House version.

SECTION 1. Section 433.0245, Health and Safety Code, is amended by adding Subsections (a-1) and (e) and amending Subsections (b) and (c) to read as follows:

(a-1) For purposes of this section, "low-volume livestock processing establishment" includes an establishment that processes fewer than 10,000 *poultry or* domestic rabbits in a calendar year.

(b) Except as provided by Subsection (e), a [A] low-volume livestock processing establishment that is exempt from federal inspection shall register with the department in accordance with rules adopted by the executive commissioner for registration.

(c) Except as provided by Subsection (e), a [A] low-volume livestock processing establishment that is exempt from federal inspection shall develop a sanitary operation procedures plan.

SECTION 3. Section 433.0245, Health and Safety Code, is amended by adding Subsections (a-1), (e), and (f) and amending Subsections (b), (c), and (d) to read as follows:

(a-1) For purposes of this section, a low-volume livestock processing establishment:

(1) includes an establishment that processes fewer than 10,000 domestic rabbits *or more than 1,000 but fewer than 10,000 poultry* in a calendar year; *and*

(2) *does not include an establishment that processes 1,000 or fewer poultry raised by the operator of the establishment in a calendar year.*

(b) Except as provided by *Subsections (e) and (f)*, a [A] low-volume livestock processing establishment that is exempt from federal inspection shall register with the department in accordance with rules adopted by the executive commissioner for registration.

(c) Except as provided by *Subsections (e) and (f)*, a [A] low-volume livestock processing establishment that is exempt from federal inspection shall develop a sanitary operation procedures plan.

SECTION 1. Same as Senate version except Subsection (f) does not authorize an establishment described by Subsection (a-1)(2) to sell poultry products directly to restaurants that provide food for immediate human consumption.

**House Bill 410**  
Conference Committee Report  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (CS)

CONFERENCE

*(d) Except as provided by Subsection (f), if [H] contaminated livestock can be reasonably traced to a low-volume livestock processing establishment that is exempt from federal inspection, the department may request the attorney general or the district or county attorney in the jurisdiction where the facility is located to institute a civil suit to enjoin the operation of the establishment until the department determines that the establishment has been sanitized and is operating safely.*

(e) A low-volume livestock processing establishment that is exempt from federal inspection and processes fewer than 500 domestic rabbits in a calendar year is not required to comply with Subsection (b) or (c).

(e) A low-volume livestock processing establishment that is exempt from federal inspection and processes fewer than 500 domestic rabbits in a calendar year is not required to comply with Subsection (b) or (c).

*(f) An establishment described by Subsection (a-1)(2):*  
*(1) is not subject to additional state regulation; and*  
*(2) may sell poultry products directly to:*  
*(A) consumers; and*  
*(B) restaurants that provide food for immediate human consumption.*

SECTION 2. Effective date.

SECTION 4. Same as House version.

SECTION 2. Same as House version.

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION**

**May 25, 2019**

**TO:** Honorable Dan Patrick, Lieutenant Governor, Senate  
Honorable Dennis Bonnen, Speaker of the House, House of Representatives

**FROM:** John McGeady, Assistant Director    Sarah Keyton, Assistant Director  
Legislative Budget Board

**IN RE: HB410** by White (Relating to the regulation of certain low-volume and other livestock processing establishments.), **Conference Committee Report**

<b>No significant fiscal implication to the State is anticipated.</b>
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The bill would modify the requirements of personal use exemption in the Health and Human Safety Code, Chapter 433. Livestock owners of domestic rabbits who give or sell carcasses, parts of carcasses, meat, or food products derived from not more than 500 domestic rabbits in any calendar year would be exempt from inspection. The Department of State Health Services expects the number of persons or facilities which would be exempt from inspections or regulations would be very small, and anticipates that any costs associated with implementing this bill could be absorbed within existing resources.

The bill would take effect September 1, 2019.

**Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

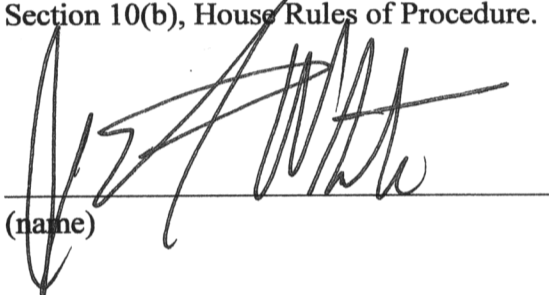
**Source Agencies:**        529 Health and Human Services Commission, 537 State Health Services,  
Department of

**LBB Staff:** WP, AKi, JQ, MNa, SB

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

Rule 13, Section 6(b), House Rules of Procedure, requires a copy of a conference committee report signed by a majority of each committee of the conference to 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 House Rule 13, Section 10(a). The paper copies of the report submitted to the chief clerk under Rule 13, Section 10(b), must contain a certificate that the requirement of Rule 13, Section 6(b), has been satisfied, and that certificate must be attached to the copy of the report furnished to each member under Rule 13, Section 10(d). Failure to comply with this requirement is not subject to a point of order under Rule 13.

I certify that a copy of the conference committee report on HB 410 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 Rule 13, Section 10(b), House Rules of Procedure.

  
\_\_\_\_\_  
(name)

5/24/19  
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(date)