

BILL ANALYSIS

H.B. 3738
By: Cyrier
Agriculture & Livestock
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Interested parties note that current law provides certain requirements regarding the testing of equine animals for equine infectious anemia and that a certain federal agency has a process for the approval of diagnostic laboratories which conduct that testing. The parties further note that it is likely that future rule changes of that agency will alter the current federal role in regulating diagnostic laboratories which test for equine infectious anemia and potentially leave the responsibility of approving such laboratories to the states. The parties contend that if this occurs there must be a state agency with the ability to approve the laboratories so that the testing can continue to be completed to keep up with demand. H.B. 3738 seeks to address this issue.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the Texas Animal Health Commission in SECTION 1 of this bill.

ANALYSIS

H.B. 3738 amends the Agriculture Code to require the Texas Animal Health Commission, not later than December 1, 2015, to adopt rules that require a person or laboratory to be approved by the commission if the person or laboratory performs an official equine infectious anemia test. The bill requires the rules to include approval requirements; provisions governing the issuance, renewal, and revocation of an approval; inspection requirements; recordkeeping requirements; equine infectious anemia testing methods approved by the commission; and proficiency standards.

EFFECTIVE DATE

September 1, 2015.