

BILL ANALYSIS

H.B. 1563
By: Nevárez
Agriculture & Livestock
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Concerns have been raised that certain animal export-import processing facilities lack adequate oversight and it has been suggested that proper oversight of such processing facilities could help protect the livestock industry and the public's health, safety, and welfare. H.B. 1563 seeks to address these concerns by providing for the licensing of such processing facilities.

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 Department of Agriculture in SECTION 2 of this bill.

ANALYSIS

H.B. 1563 amends the Agriculture Code to establish a license requirement for a person operating an export-import processing facility that is located in Texas, is authorized under certain federal regulations, and has the capacity to receive and hold animals and animal products for transportation in international trade. The bill grants the Department of Agriculture (TDA) exclusive authority to license such facilities in Texas. The bill requires the TDA to adopt rules to implement, administer, and enforce the bill's provisions and to include the following in such rules:

- requirements to obtain and renew a license;
- standards governing a license holder's operation of a facility necessary to protect the public's health, safety, and welfare and the safety of animals held by a facility;
- fees for the issuance and renewal of a license in amounts necessary to recover direct and indirect costs of the TDA in administering the bill's provisions; and
- a schedule of sanctions for violations of the bill's provisions and rules adopted under those provisions.

H.B. 1563 exempts a governmental entity from the license and renewal fees. The bill authorizes the TDA to impose an administrative penalty or other administrative sanction for a violation of the bill's provisions or a rule adopted under those provisions and caps the administrative penalty at \$5,000. The bill authorizes the TDA to suspend or revoke a license for a violation of the bill's provisions or a rule adopted under those provisions. The bill's license requirement and enforcement provisions do not apply before the 90th day after TDA rules relating to requirements to obtain and renew a license become effective.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2019.