

BILL ANALYSIS

C.S.H.B. 1958
By: González, Mary
Agriculture & Livestock
Committee Report (Substituted)

BACKGROUND AND PURPOSE

At export-import facilities along the state's international border with Mexico, animals from the United States are staged for inspections and permitting by Mexican officials before being exported to Mexico. Currently, the Texas Animal Health Commission (TAHC) does not receive notification when an animal is rejected for export due to inadequate records, disease, or pest concerns. These high-risk, rejected animals do not have movement restrictions and, at times, have moved from an export-import facility directly to Texas premises without appropriate testing, treatment, or disease and pest mitigation. This poses a threat to animal health and Texas' livestock, fiber, and food industries.

One example of such a threat is the Asian longhorned tick, which is a vector of several human and animal diseases. In 2019, a slaughter horse was rejected at a port of entry to Mexico due to the discovery of this tick on the horse, which resulted in Mexico placing a temporary ban on the importation of U.S. origin livestock. The horse was returned to Waco, but the TAHC was not informed of the tick's presence in Texas until a week after the horse was rejected. The rejected horse could have been the source of an outbreak of this tick in Texas and the TAHC would not have immediately known of the outbreak's origin.

C.S.H.B. 1958 seeks to address this issue by requiring certain notification to the TAHC of an animal refused export out of Texas or entry to another country so that the TAHC can more effectively and efficiently mitigate disease exposure and threats.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill expressly does one or more of the following: creates a criminal offense, increases the punishment for an existing criminal offense or category of offenses, or changes 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

C.S.H.B. 1958 amends the Agriculture Code to require the owner or person in charge of an export-import facility to notify the Texas Animal Health Commission (TAHC) not later than 24 hours after an animal received or held at the facility is refused export out of Texas or entry into another country. This requirement applies beginning on the 30th day after the bill's effective date or on a later date provided by an order issued by the executive director of the TAHC. The bill defines "export-import facility" as a public or private livestock export-import processing facility that is a land border port in Texas with the capacity to receive and hold livestock and

livestock products for transportation in international trade, including a Department of Agriculture export-import processing facility.

C.S.H.B. 1958 authorizes the TAHC to require that an animal held at an export-import facility be tested or treated for a disease or pest if an authorized TAHC employee considers the test or treatment necessary. The bill authorizes the TAHC to require the testing or treatment be performed before the animal is removed from the facility. The state is not liable for the amount of any fee charged for the testing or treatment.

C.S.H.B. 1958 authorizes the TAHC, for disease or pest control purposes, to adopt rules necessary to implement, administer, and enforce the bill's provisions. The rules may include reporting and recordkeeping requirements and provisions governing the movement, inspections, testing, or treatment of animals. The bill creates a Class C misdemeanor offense for a person who knowingly moves an animal in violation of such a rule and enhances the penalty to a Class B misdemeanor for a subsequent conviction of the offense.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2021.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 1958 may differ from the original in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The substitute includes a provision making the requirement that the owner or person in charge of an export-import facility notify the TAHC regarding an animal that is refused export out of Texas or entry into another country applicable beginning on the 30th day after the bill's effective date or on a later date provided by an order issued by the executive director of the TAHC.