

- SUBJECT:** Appropriating fees generated through regulation of poultry purveyors
- COMMITTEE:** Appropriations — favorable, without amendment
- VOTE:** 23 ayes — Heflin, Luna, Berman, Branch, B. Brown, F. Brown, J. Davis, Deshotel, Eiland, Hamric, Hope, Hupp, Isett, E. Jones, Kolkhorst, McClendon, Menendez, Raymond, Solis, Stick, Truitt, S. Turner, Wohlgemuth
- 0 nays
- 6 absent — Crownover, Dukes, Ellis, Gutierrez, Pickett, Pitts
- WITNESSES:** No public hearing
- BACKGROUND:** The 78th Legislature during its regular session enacted HB 2328 by McReynolds, et al., requiring sellers, distributors, and transporters of live domestic or exotic fowl who do not participate in a recognized disease surveillance program to register with the Texas Animal Health Commission (TAHC), effective February 1, 2004. The fiscal note attached to HB 2328 identified the need for four inspectors, one clerk, and one administrative technician to notify poultry purveyors of the law and to collect the fees.
- Generally, when pending legislation would generate fee revenue, lawmakers adopt a contingency rider in the general appropriations act, giving direction to appropriate the funds if the bill becomes law and the fees are generated. HB 1 by Heflin, the general appropriations act for fiscal 2004-05, contains no contingency rider for HB 2328.
- DIGEST:** HB 25 would appropriate fees collected from registration of poultry purveyors to TAHC for the purposes of administering the registration requirement. Any future increases in the cost of state employee benefits connected with administration of HB 2328 would have to be paid by the fee-generated funds.
- The bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect on the 91st day after the last day of the third called session.

HB 25  
House Research Organization  
page 2

**NOTES:**

The fiscal note for CSHB 12 estimates a general revenue cost of \$345,000 in fiscal 2004-05.

HB 12 by Heflin, almost identical to HB 25 except for the effective date, passed the House and the Senate during the first called session. The Senate added a number of amendments that the House did not consider, and the bill died.