

## **BILL ANALYSIS**

Senate Research Center  
77R14266 BDH-D

C.S.H.B. 3673  
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Natural Resources  
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Committee Report (Substituted)

### **DIGEST AND PURPOSE**

Foot and mouth disease is a highly infectious viral disease of cloven-hoofed animals such as cattle, swine, sheep, goats, and deer. It is a very serious threat to the livestock industry. In Great Britain, the latest outbreak of foot and mouth disease has led to over one million animals being slaughtered. A foot and mouth disease outbreak would necessitate quarantine and depopulation of infected animals, as well as a cessation of livestock movement in the state to prevent the spread of the disease. A new worldwide epidemic of foot and mouth disease has so far reached 60 countries, and with increased global trade there is a possibility of meat contaminated with foot and mouth disease being brought into Texas. If garbage being fed to swine were to be infected with foot and mouth disease the swine would very likely become infected with the disease. C.S.H.B. 3673 authorizes the Texas Animal Health Commission to adopt rules to prohibit the feeding of garbage containing meat scraps if the practice presents a danger to the livestock industry, and to revoke permits of garbage feeding to swine for non-compliance with the law.

### **RULEMAKING AUTHORITY**

Rulemaking authority is expressly granted to the Texas Animal Health Commission in SECTION 1 (Section 165.026, Agriculture Code) of this bill.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 165.026, Agriculture Code, as follows:

Sec. 165.026. FEEDING GARBAGE TO SWINE. (a) Prohibits a person from feeding restricted garbage to swine or providing restricted garbage to any person for the purpose of feeding swine, except that a facility operated by the Texas Department of Criminal Justice may feed restricted garbage to swine if the garbage is properly treated in accordance with applicable federal requirements.

(b) Authorizes a person to feed unrestricted garbage to swine only under certain conditions.

(c) Authorizes the Texas Animal Health Commission (commission) to adopt rules for registration under this section, including rules providing for registration issuance, revocation, and renewal, disease tests, inspections, bookkeeping, and appropriate handling and treatment of unrestricted garbage. Requires registration with the commission to be made on forms prescribed by the commission, and requires the commission to furnish those forms on request. Authorizes the commission to impose a registration fee not to exceed \$25 a year.

(d) Authorizes the commission or the executive director of the commission to issue an emergency administrative order to suspend a registration under this section or require the immediate quarantine and closure of a garbage feeding facility if the commission or the executive director determines that the practice presents a danger to public health or

the livestock industry, including any danger related to an insect infestation or the transmission of a disease. Requires an order to expire not later than the end of the second month after the effective date of the order.

(e) Authorizes the commission or the commissioner to issue an order prohibiting the feeding of restricted garbage to swine in all or part of the state if the commission or the commissioner determines that the practice presents a danger to public health or the livestock industry, including any danger related to an insect infestation or the transmission of a disease.

(f) Provides that this section does not apply to an individual who feeds unrestricted garbage from the individual's own household, farm, or ranch to swine owned by the individual.

(g) Requires the commission, in cooperation with the department and any other appropriate state agencies and political subdivisions, to perform certain duties.

(h) Defines "restricted garbage" and "unrestricted garbage."

SECTION 2. Provides that a violation of Section 165.026(a) or (b), Agriculture Code, as amended by this Act, is an offense under Section 165.041, Agriculture Code, only if each element of the violation occurs on or after December 1, 2001. Provides that an offense under Section 165.041 for a violation of Section 165.026(a) or (b) committed before December 1, 2001, is governed by the law in effect when the offense was committed, and the former law is continued in effect for that purpose.

SECTION 3. Effective date: September 1, 2001.