

BILL ANALYSIS

Senate Research Center
77R1533 BDH-D

S.B. 685
By: Madla
Natural Resources
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As Filed

DIGEST AND PURPOSE

Currently, the state's regulatory program for certain riding stables is administered by the Texas Department of Health (TDH). As proposed, S.B. 685 transfers regulatory authority over riding stables from the TDH to the Texas Animal Health Commission.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the Texas Animal Health Commission in SECTION 3 (Section 2053.012, Occupations Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 2053.001, Occupations Code, to define "commission." Deletes text regarding the terms "board," "commissioner," and "department."

SECTION 2. Amends the heading to Chapter 2053B, Occupations Code, as follows:

SUBCHAPTER B. POWERS AND DUTIES OF COMMISSION

SECTION 3. Amends Sections 2053.011, 2053.012, 2053.013, 2053.021, 2053.022, 2053.023, 2053.031, 2053.032, 2053.033, 2053.034, 2053.035, and 2053.036, Occupations Code, as follows:

Sec. 2053.011. Makes a conforming change.

Sec. 2053.012. Makes conforming changes.

Sec. 2053.013. Makes conforming changes.

Sec. 2053.021. Makes a conforming change.

Sec. 2053.023. Makes conforming changes.

Sec. 2053.031. Makes conforming changes.

Sec. 2053.032. Makes conforming changes.

Sec. 2053.033. Makes conforming changes.

Sec. 2053.034. Makes conforming changes.

Sec. 2053.035. Makes conforming changes.

Sec. 2053.036. Makes a conforming change.

SECTION 4. (a) Effective date: September 1, 2001.

(b) Provides that, as soon as practicable after the effective date of this Act, but not later than January 1, 2002: all powers, duties, rights, and obligations of the Texas Board of Health (board) and the Texas Department of Health (department) relating to the regulation of riding stables under Chapter 2053 (Riding Stables), Occupations Code, are transferred to the Texas Animal Health Commission (commission) as provided by this Act; except as provided by Subsection (c) of this section, all assets, liabilities, personnel, equipment, data, documents, facilities, and other items relating to the regulation of riding stables under Chapter 2053, Occupations Code, are transferred from the board and the department to the commission; and any appropriation to the department relating to the regulation of riding stables under Chapter 2053, Occupations Code, is transferred to the commission.

(c) Authorizes the governing board of the board and the department to decide whether to transfer to the commission: personnel who perform both duties that relate to the regulation of riding stables under Chapter 2053, Occupations Code, and duties that do not relate to the regulation of riding stables under Chapter 2053, Occupations Code; and assets used by the board and the department both in the regulation of riding stables under Chapter 2053, Occupations Code, and for other purposes.

(d) Requires the officers and employees of the board, the department, and the commission, to cooperate fully with the transfer.

(e) Requires the transfer of functions under Subsection (b) of this section to occur on the date specified in an interagency contract between the board and the commission.

(f) Provides that, notwithstanding the change in law made by this Act, the board and the department retain all powers and duties relating to the regulation of riding stables under Chapter 2053, Occupations Code, until the effective date of the transfer under Subsection (b) of this section.

(g) Provides that a change in law made by this Act does not affect the validity of any action taken by the board or the department relating to the regulation of riding stables under Chapter 2053, Occupations Code, before the effective date of the transfer under Subsection (b) of this section.

(h) Provides that a change in law made by this Act does not affect certain proceedings or the validity of certain actions.

(i) Provides that a change in law made by this Act does not affect the validity of a civil, criminal, or administrative proceeding, including registration proceedings and rulemaking, in progress on the effective date of the change in law.

(j) Provides that all forms, rules, and procedures adopted by the department for the administration of Chapter 2053, Occupations Code, and in effect on the effective date of this Act, remain in effect on or after that date as if adopted by the commission until amended, repealed, withdrawn, or otherwise superseded by the commission. Provides that a certificate of registration issued under Chapter 2053, Occupations Code, and in effect on the effective date of this act, remains in effect according to its terms as if issued by the commission until the certificate expires or is revoked or surrendered before its expiration.