

BILL ANALYSIS

Senate Research Center
79R4214 BDH-D

H.B. 901
By: McReynolds (Jackson)
S/C on Agriculture & Coastal Resources
4/5/2005
Engrossed

AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

Currently, the expiration date for certain Texas Department of Agriculture (TDA) licenses is set by statute. In addition, license fees are required to be prorated when the license is issued for only part of the year. Prorating fees results in fees that are difficult to calculate and creates confusion for customers. Expiration dates set by statute create a workflow that is not evenly distributed throughout the year, resulting in the need to hire temporary workers during peak periods to ensure timely processing.

As proposed, H.B. 901 makes all TDA licenses effective for one year from the date issued or renewed. This change will provide a better turnaround time to customers, create less confusion about license fees and reduce, if not eliminate, the need for temporary workers during peak periods.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 61.013(d), Agriculture Code, to provide that a vegetable seed license expires on the first anniversary of the date on which it was issued or renewed, rather than on August 31 of each year.

SECTION 2. Amends Sections 76.113(a) and (b), Agriculture Code, as follows:

(a) Provides that each commercial [pesticide] applicator or noncommercial [pesticide] applicator license expires on the first anniversary of the date on which it was issued or renewed, rather than on the last day in February of the year following the year in which it was issued.

(b) Provides that each private [pesticide] applicator license expires on the fifth anniversary of the date on which it was issued or renewed, rather than on the last day of February of the fifth year following the year in which it was issued.

SECTION 3. Amends Section 121.004(b), Agriculture Code, to provide that a certificate of authority (for persons who determine or influence the grade of rose plants) expires on the first anniversary of the date on which it was issued or renewed, rather than on December 31 of the year in which it is issued.

SECTION 4. Amends Section 132.024, Agriculture Code, as follows:

Sec. 132.024. New heading: LICENSE EXPIRATION. Provides that a license [to buy and sell eggs for resale] issued or renewed under this chapter expires on the first anniversary of the date of issuance or renewal. Deletes the provision that, except under certain circumstances, a license required by this chapter is valid from September 1 of each year through August 31 of the following year. Deletes the provision that a license issued to a new business under this chapter is valid from the date of issuance through the following August 31, unless the new license is issued in August, in which event the license is valid through August 31 of the following year. Makes nonsubstantive changes.

SECTION 5. Makes application of this Act prospective.

SECTION 6. Effective date: September 1, 2005.