

BILL ANALYSIS

Senate Research Center
82R7545 TRH-D

S.B. 1157
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Agriculture & Rural Affairs
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The Texas Department of Agriculture (TDA) oversees a weights and measures program to protect consumers and businesses by ensuring that equity prevails in all commercial transactions involving determinations of quantity.

Devices include scales, liquid measuring devices, and liquid petroleum gas measuring devices.

The equipment used to test the devices for accuracy is calibrated at TDA's Metrology Laboratory. The lab maintains primary standards, which are certified by the National Institute of Standards and Technology (NIST) every 10 years. These standards support the calibration process and are aligned with the standards used by all state weights and measures programs across the United States.

NIST is phasing out of the calibration and certification of state standards and has encouraged states to now seek these services at an NIST-approved lab. TDA does not currently have statutory authorization to seek these services elsewhere.

As proposed, S.B. 1157 amends current law relating to the certification of the state's primary standards of weights and measures.

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 13.113(b), Agriculture Code, as follows:

(b) Requires the Texas Department of Agriculture (TDA) to maintain the primary standards, rather than the official standards, of weights and measures in a safe and suitable place in the offices of TDA. Requires TDA to maintain the standards in good order and to submit them to the National Institute of Standards and Technology (NIST) or to a laboratory approved by the NIST for certification at least once every 10 years.

SECTION 2. Effective date: September 1, 2011.