

BILL ANALYSIS

Senate Research Center
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S.B. 1070
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Agriculture, Rural Affairs & Homeland Security
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

In 2003, the legislature passed legislation authorizing a process and procedures for conducting a state beef check off program.

To date, no state beef check off program has been implemented in Texas; however, as the Texas cattle industry continues to discuss the need for a potential state beef check off program, some clarifications are needed to ensure that if and when a state beef check off program is implemented that the process is clear and efficient for cattle producers.

S.B. 1070 clarifies that any potential state beef check off program is separate from the national beef check off program, and simplifies the nomination and appointment process for producers that may serve on a state beef check off council.

As proposed, S.B. 1070 amends current law relating to beef marketing, education, research, and promotion of the Texas Beef Council.

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 41.152(b), Agriculture Code, as follows:

(b) Requires the Texas Beef Council (council) to collect the proceeds of and administer in this state the beef check off program established by federal law, rather than provides that the council is the state beef council qualified to collect the proceeds of and administer in this state the beef check off program established by federal law. Requires the council, if the council establishes a beef check off program under Section 41.1571, to administer that program.

SECTION 2. Amends Sections 41.156(a) and (c), Agriculture Code, as follows:

(a) Provides that the council is composed of 20 members, rather than 20 members nominated by the council and appointed by the commissioner of agriculture (commissioner). Sets forth the composition of the council.

(c) Requires the original appointing authority, rather than the commissioner, on recommendation of the council, to fill a vacancy on the council by appointment for the unexpired term.

SECTION 3. Amends Subchapter H, Chapter 41, Agriculture Code, by adding Section 41.1571, as follows:

Sec. 41.1571. STATE BEEF CHECK OFF PROGRAM. Authorizes the council to establish and operate a beef check off program.

SECTION 4. Provides that the change in law made by this Act regarding the appointment of members of the council does not affect the entitlement of a member serving on the committee immediately before the effective date of this Act to continue to serve as a member of the committee for the remainder of the member's term. Provides that the change in law applies only to a member appointed on or after the effective date of this Act.

SECTION 5. Effective date: September 1, 2013.