

BILL ANALYSIS

Senate Research Center
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C.S.S.B. 1750
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Agriculture, Rural Affairs & Homeland Security
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Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

In the State of Texas, before animals are sold, they are to be checked for any diseases they may have. The Texas Animal Health Commission (TAHC) issues a hold order if the animals are not up to date on their vaccinations or if they have tested positive or have been deemed to have been exposed to certain diseases. Determination of what constitutes "exposure" varies by disease. Once the hold order is issued, the animal's owners have 10 days to either bring the animal up to date on its vaccinations, and test clean, or slaughter it. In some cases, the animals disappear in this 10-day period of time, without any way for TAHC to track them. In this manner, infected animals may end up in another state and infect, or at least expose, other livestock and fowl.

Although the Agriculture Code currently penalizes for mishandling infected animals, C.S.S.B. 1750 makes it a Class C Misdemeanor to improperly handle or move certain animals which the owner has been notified—normally through a hold order—have been infected with or exposed to certain diseases.

C.S.S.B. 1750 amends current law relating to a criminal penalty for failure to handle certain animals in accordance with rules of the Texas Animal Health Commission.

RULEMAKING AUTHORITY

Rulemaking authority previously granted to Texas Animal Health Commission is modified in SECTION 1 (Section 161.041, Agriculture Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 161.041(c), Agriculture Code, as follows:

(c) Provides that a person commits an offense if the person knowingly fails to handle, in accordance with rules adopted by the Texas Animal Health Commission (TAHC), livestock, exotic livestock, domestic fowl, or exotic fowl:

- (1) infected with a disease listed in Subsection (a) (relating to a list of diseases from which TAHC is required to protect all livestock, exotic livestock, domestic fowl, and exotic fowl);
- (2) exposed, as defined by TAHC rule, to a disease listed in Subsection (a) if TAHC has notified the person that the animal was exposed to the disease; or
- (3) subject to a testing requirement due to a risk of exposure, as defined by TAHC rule, to a specific disease if TAHC has notified the person of the testing requirement.

SECTION 2. Makes application of the change in law made by this Act prospective.

SECTION 3. Effective date: September 1, 2013.