BILL ANALYSIS

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Before 2001, El Paso County was one of the top five milk-producing counties in Texas. El Paso County was also responsible for five percent of the milk production in the United States. This $40-million-a-year industry was vital to the agricultural production and marketing industries not only in the El Paso-Hudspeth County area, but throughout the state of Texas.

In 2001, a suspected bovine tuberculosis outbreak prompted the United States Department of Agriculture to depopulate a number of dairy farms in El Paso County and offer a buyout program to the farmers. In order for them to participate in the buyout, state legislation was needed, thus H.B. 2463 was passed during the 77th Legislature.

As a result of the same suspected outbreak, the Texas Animal Health Commission (TAHC) established movement restriction zones which encompassed El Paso County and part of Hudspeth County. Contained in H.B. 2463 was Section 435.006(d), Health and Safety Code, which prevented the Department of State Health Services from issuing a permit to dairy producers located in the movement restriction zone.

Since the buyout, there has been no conclusion as to what caused the outbreak, nor has there been any further investigation as to whether or not this area is still at a significant risk for bovine tuberculosis.

S.B. 524 requires the TAHC to conduct a year-long study to update current research on bovine tuberculosis and dairy farming in the movement restriction zone.

As proposed, S.B. 524 amends current law relating to a study regarding the prohibition of dairy farming in certain areas of the state.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the Texas Animal Health Commission in Section 1 of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. (a) Defines "commission" and "department."

> (b) Requires the Texas Animal Health Commission (TAHC) to conduct a study regarding the current risk level for bovine tuberculosis, as determined epidemiologically and defined by rule of TAHC, in areas of this state determined by TAHC by rule to be infected with or at high risk for bovine tuberculosis.

> (c) Requires the TAHC, not later than September 1, 2014, to submit a report to the Texas Department of Agriculture, the governor, the lieutenant governor, the House Committee on Agriculture and Livestock, the Senate Committee on Agriculture, Rural Affairs, and Homeland Security, the House Committee on Public Health, and the Senate Committee on Health and Human Services regarding the results of the study. Requires that the report include:

(1) an economic impact statement that projects the financial impact of allowing dairy farming in areas determined by TAHC by rule to be infected with or at high risk for bovine tuberculosis;

(2) an assessment of the risk level for bovine tuberculosis presented by areas in Mexico bordering this state;

(3) a description of the efforts taken by the Ministry of Agriculture, Livestock, Rural Development, Fisheries and Food and other agencies of the United Mexican States to eliminate bovine tuberculosis in the state of Chihuahua and other areas;

(4) a description of the current practices adopted by the United States Department of Agriculture and TAHC to eliminate bovine tuberculosis;

(5) an assessment of the risk level for bovine tuberculosis for the state if dairy farming were to occur in areas determined by TAHC by rule to be infected with or at high risk for bovine tuberculosis; and

(6) an assessment of whether the areas determined by TAHC by rule to be infected with or at high risk for bovine tuberculosis could be decreased in size.

(d) Requires TAHC to present the report regarding the results of the study at an open meeting of TAHC as soon as practicable.

(e) Provides that this Act expires October 1, 2014.

SECTION 2. Effective date: upon passage or September 1, 2013.