

- SUBJECT:** Abolishing the county office of inspector of hides and animals
- COMMITTEE:** Agriculture and Livestock — favorable, without amendment
- VOTE:** 9 ayes — Gonzalez Toureilles, Anderson, B. Brown, Crabb, Hardcastle, Heflin, Kleinschmidt, Rios Ybarra, Swinford
- 0 nays
- WITNESSES:** For — Donald Lee, Texas Conference of Urban Counties
- Against — None
- BACKGROUND:** The county office of inspector of hides and animals was established in 1871 and filled for four-year terms by appointment of the governor. The inspector was to aid in the prevention of cattle theft by inspecting the hides and animals shipped out of the county for sale. After the Texas Constitution was adopted in 1876, the office became elective, and the term was shortened to two years. In 1954, the term was returned to four years. The Legislature then exempted many counties from electing an inspector.
- The 80th Legislature in 2007 adopted, and voters approved, HJR 69 by Heflin, which amended the Texas Constitution to remove all references to the county office of inspector of hides and animals.
- Several statutory references to the county inspector of hides and animals remain. Agriculture Code, ch. 148 regulates the slaughter of livestock. Secs. 148.044, 148.067, and 148.068 establish, respectively:
- the timetable for inspection of the hide and ears of slaughtered cattle by the inspector of hides and animals or county magistrate;
  - that failure to have the hide and ears inspected is a misdemeanor punishable by a fine ranging from \$20 to \$200; and
  - that failure of the inspector or magistrate to keep records of the inspection of hide and ears is a misdemeanor punishable by a fine ranging from \$1 to \$25.
- Local Government Code, ch. 87 governs removing county officers from office and filling those vacancies. Sec. 87.012 lists the officers that are

subject to removal, including an inspector of hides and animals. Sec. 87.041 lists the vacancies the commissioners court may fill, including an inspector of hides and animals.

Election Code, sec. 52.092 lists the state and county offices regularly filled at general elections, which includes the office of inspector of hides and animals. Election Code, sec. 172.024 sets the filing fee paid by a candidate for the office of inspector of hides and animals in a primary election.

**DIGEST:** HB 328 would abolish the county office of inspector of hides and animals by deleting statutory references to the office from the Election Code, Agriculture Code, and Local Government Code. The bill would require that any records of an inspector of hides and animals be transferred to the county clerk of a county previously served by an inspector.

The bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2009.

**SUPPORTERS SAY:** HB 328 would remove out-of-date references in several statutes — including Election Code provisions that still allow candidates to file for election — to a county office that no longer serves a purpose or has any relation to modern, contemporary life. According to the *Handbook of Texas*, published by the Texas State Historical Association, only about one-third of Texas counties had an inspector of hides and animals in 1954. The office has been virtually, if not completely, nonexistent since the early 1990s.

In 2003, the 78th Legislature enacted SB 1389 by Duncan, which removed the powers and duties of the office from the Agriculture Code, but the office still is mentioned in several other Texas statutes. In 2007, the 80th Legislature adopted HJR 69 by Heflin (Proposition 10), which amended the Texas Constitution to remove references to the office from Art. 16, sec. 64 and 65(a). The voters approved this amendment in November 2007 by a margin of three-to-one. HB 328 simply would complete the process of eliminating this obsolete county office by removing all further references to it from the statutes.

OPPONENTS  
SAY:

No apparent opposition.

NOTES:

The companion bill, SB 399 by Seliger, was reported favorably, without amendment, by the Senate Agriculture and Rural Affairs Committee on April 1 and recommended for the Local and Uncontested Calendar.

HB 1631 by Heflin, which would have abolished the county office of inspector of hides and animals by repealing all remaining statutory references to the office, passed the House, but died in the Senate in the last days of the 2007 regular session.