

BILL ANALYSIS

Senate Research Center
77R8020 BDH-D

H.B. 2091
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Natural Resources
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Engrossed

DIGEST AND PURPOSE

Currently, Texas law designates the state as a modified accredited area for tuberculosis (TB) in cattle. All except two of the 254 counties in Texas have been declared TB-free by the United States Department of Agriculture (USDA). Cattle transported from a modified accredited area must be tested within 60 days of transport and be shown to be TB free. Breeding cattle from TB-free zones may move across state lines without TB tests, facilitating out of state trade. H.B. 2091 brings Texas law in line with USDA regulations by reflecting new split-state status in regard to bovine TB.

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 162.002(a), Agriculture Code, to authorize the Texas Animal Health Commission (commission) to cooperate certain entities or persons for the eradication of tuberculosis among cattle and the establishment of areas based on prevalence of the disease. Deletes text regarding modified accredited.

SECTION 2. Amends Section 162.005, Agriculture Code, as follows:

Sec. 162.005. New heading: IDENTIFICATION OF CATTLE. Requires the veterinarian, under certain conditions, to perform certain procedures. Deletes text regarding report sent to the commission.

SECTION 3. Amends Section 162.006(b), Agriculture Code, to delete text regarding Section 162.007 of this code.

SECTION 4. Amends Section 162.009, Agriculture Code, as follows:

Sec. 162.009. New heading: TUBERCULOSIS MODIFIED ACCREDITED ADVANCED AND TUBERCULOSIS FREE AREAS. (a) Authorizes the commission or its representative, as part of a cooperative program, to examine, test, and retest any cattle in this state as necessary to maintain an area of this state, rather than county, as a tuberculosis modified accredited advanced area or to establish or maintain each area of this state as a tuberculosis free area under the uniform methods and rules of the United States Department of Agriculture and the rules of the commission. Deletes text regarding tuberculosis.

(b) Authorizes the commission or its representative to test or retest all or part of a herd of cattle at intervals considered necessary or advisable by the commission to control and eliminate tuberculosis in animals. Deletes text regarding a modified accredited tuberculosis free area.

SECTION 5. Amends the heading to Section 162.011, Agriculture Code, to read as follows:

Sec. 162.011. New heading: PENALTY FOR VETERINARIAN'S FAILURE TO FILE CERTIFICATE OR TO IDENTIFY ANIMALS.

SECTION 6. Amends Section 162.011(a), Agriculture Code, to provide that a person commits an offense if, as a veterinarian, the person fails to properly identify an animal under Section 162.005. Deletes text regarding branding or tagging cattle. Makes nonsubstantive changes.

SECTION 7. Amends Section 162.012, Agriculture Code, as follows

Sec. 162.012. New heading: PENALTY FOR MOVEMENT OR SALE OF QUARANTINED OR DISEASED CATTLE. (a) Deletes text regarding violation of Section 162.007(a).

(b) Deletes text regarding a carcass. Makes a conforming change.

SECTION 8. Effective date: September 1, 2001.