

BILL ANALYSIS

Senate Research Center
78R5016 AKH-D

H.B. 1046
By: Swinford (Duncan)
Natural Resources
5/14/2003
Engrossed

DIGEST AND PURPOSE

The purpose of the first Fertilizer Act (Act) (26th Legislature, 1899) was to protect the consumer against economic adulteration (misbranding) and against exposure to or use of poisonous or deleterious substances (adulteration). Those purposes continue to be served under the Act. The Act benefits both manufacturers and consumers by providing for uniform business practices and quality products for end users. H.B. 1046 deletes text relating to requiring an application, if the home office or the principal place of business of the person applying for registration is located outside this state, to be accompanied by a written instrument appointing a resident agent for service of legal process.

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 Sections 63.032(b) and (c), Agriculture Code, to delete existing Subsection (b) relating to requiring an application, if the home office or the principal place of business of the person applying for registration is located outside this state, to be accompanied by a written instrument appointing a resident agent for service of legal process. Redesignates existing Subsection (c) as (b).

SECTION 2. Effective date: upon passage or September 1, 2003.