

BILL ANALYSIS

Senate Research Center
79R10146 QS-F

H.B. 1361
By: Hardcastle (Jackson)
Natural Resources
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Engrossed

AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

The number of animal disease outbreaks that have been reported around the globe over the past decade have greatly intensified public interest in developing a national animal identification program for the purpose of protecting animal health. The European Union, Canada, and Australia already have animal identification systems in place. A strong United States identification system is in increasing demand as a necessary component of our nation's agricultural infrastructure. Because of its complexity, the United States Department of Agriculture (USDA) plans to phase in the National Animal Identification System (NAIS).

H.B. 1361 implements an animal identification program that is consistent with that of the USDA.

RULEMAKING AUTHORITY

Rulemaking authority previously granted to the Texas Animal Health Commission is modified in SECTION 1 (Section 161.056, Agriculture Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 161.056, Agriculture Code, as follows:

Sec. 161.056. New heading: ANIMAL IDENTIFICATION PROGRAM. (a) Authorizes the Texas Animal Health Commission (commission), in order to provide for disease control and enhance the ability to trace disease-infected animals or animals that have been exposed to disease, to develop and implement an animal identification program that is consistent with the United States Department of Agriculture's National Animal Identification System.

(b) Sets forth certain identification numbers that the commission is authorized to recognize as official in this state.

(c) Authorizes the commission to require the use of official identification numbers assigned as part of the animal identification program for animal disease control, animal emergency management, and other commission programs.

(d) Authorizes the commission to establish a date by which all premises must be registered and assess a registration fee on all entities that register for a premises identification number.

(e) Provides that information collected by the commission under this section is exempt from the public disclosure requirements of Chapter 552 (Public Information), Government Code. Authorizes the commission to provide information to another person, including a governmental entity, without altering the confidential status of the information. Authorizes the commission to release information to certain persons, offices, and agencies.

(f) Requires the commission, notwithstanding Subsection (e), to release information collected under this section if the release is necessary for emergency management purposes under Chapter 418 (Emergency Management), Government Code. Provides that the release of information under this subsection does not alter the confidentiality of the information.

(g) Provides that a person commits an offense if the person fails to comply with an order or rule adopted under this section.

(h) Provides that an offense under Subsection (g) is a Class C misdemeanor unless it is shown on the trial of the offense that the defendant has been convicted previously under this section, in which case the offense is a Class B misdemeanor.

(i) Authorizes the commission to adopt rules necessary to implement and enforce this section. Deletes existing text specifying that the rulemaking authority is intended to establish a standard method for identifying and tracking exotic livestock and exotic fowl.

SECTION 2. Effective date: September 1, 2005.