

BILL ANALYSIS

Senate Research Center
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C.S.H.B. 3567
By: Kleinschmidt (Estes)
Agriculture, Rural Affairs & Homeland Security
5/14/2013
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The Department of Agriculture (TDA) is charged with regulating the structural pest control industry in order to protect the health and well-being of the public. An 11-member structural pest control advisory committee advises TDA and the commissioner of agriculture on issues relating to such regulation.

C.S.H.B. 3567 amends current law relating to the composition of the structural pest control advisory committee.

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 1951.101(a) and (b), Occupations Code, as follows:

(a) Provides that the structural pest control advisory committee (committee) consists of 11, rather than nine, members appointed by the commissioner of agriculture as follows:

- (1) one member who is an employee of a school district and associated with a school integrated pest management program, rather than two members who are experts in structural pest control application;
- (2) three members who represent the public;
- (3) one member from an institution of higher education who is knowledgeable in the science of pests and pest control;
- (4) three members who represent the interests of structural pest control operators and who are appointed based on recommendations provided by a trade association of operators, rather than one member who represents the interests of structural pest control operators and who is appointed based on recommendations provided by a trade association of operators;
- (5) one member who represents the interests of consumers;
- (6) the commissioner of state health services or the commissioner's designee; and
- (7) one member who is a structural pest control operator with experience in natural, organic, or holistic pest control.

(b) Provides that the staggered four-year terms members of the committee serve, of five or six members, rather than four or five members, as appropriate, expire on February 1 of each odd-numbered year.

SECTION 2. (a) Provides that, on September 1, 2013, the terms of the members of the structural pest control advisory committee appointed under former Section 1951.101(a)(1), Occupations Code, expire.

(b) Requires the commissioner of agriculture, not later than October 1, 2013, to appoint the new members of the structural pest control advisory committee necessary to ensure that the composition of the committee complies with Section 1951.101 (Committee Membership), Occupations Code, as amended by this Act, and designate the terms of those members to expire on February 1, 2015, or February 1, 2017, as appropriate, to ensure that the expiration of the terms complies with Section 1951.101(b), Occupations Code, as amended by this Act.

SECTION 3. Effective date: September 1, 2013.