

BILL ANALYSIS

Senate Research Center
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H.B. 3569
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Agriculture, Rural Affairs & Homeland Security
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Since Texas was declared a brucellosis-free state, the quality of veterinarians and those authorized to participate in a disease control and eradication programs through the Texas Animal Health Commission (TAHC) has decreased. This is because TAHC has certification authority solely with respect to brucellosis, but disease and eradication programs include at least six other dangerous diseases. Additionally, TAHC is having some quality control problems in these disease control and eradication programs including improperly submitted tests, samples, and incorrect certificates of veterinary inspection.

H.B. 3569 amends current law relating to activities conducted in connection with a state or federal disease control or eradication program for animals.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the Texas Animal Health Commission (TAHC) in SECTION 1 (Section 161.0417, Agriculture Code) and SECTION 3 of this bill.

Rulemaking authority previously granted to TAHC is modified in SECTION 2 (Section 161.0601, Agriculture Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter C, Chapter 161, Agriculture Code, by adding Section 161.0417, as follows:

Sec. 161.0417. AUTHORIZED PERSONNEL FOR DISEASE CONTROL. (a) Requires a person, including a veterinarian, to be authorized by the Texas Animal Health Commission (TAHC) in order to engage in an activity that is part of a state or federal disease control or eradication program for animals.

(b) Requires TAHC to adopt rules for the authorization of a person described by Subsection (a).

(c) Authorizes TAHC to, after reasonable notice, suspend or revoke a person's authorization under Subsection (a) if TAHC determines that the person has substantially failed to comply with this chapter (General Disease and Pest Control) or rules adopted under this chapter.

(d) Entitles a person to a hearing before TAHC or a hearing examiner appointed by TAHC before TAHC is authorized to revoke the person's authorization under Subsection (a). Requires TAHC to make all final decisions to suspend or revoke an authorization.

(e) Provides that this section does not affect the requirement for a license or an exemption under Chapter 801 (Veterinarians), Occupations Code, to practice veterinary medicine.

SECTION 2. Amends Section 161.0601(a), Agriculture Code, to authorize TAHC by rule to provide for the issuance, including electronically, of a certificate of veterinary inspection by a veterinarian to a person transporting livestock, exotic livestock, domestic fowl, or exotic fowl.

SECTION 3. Requires TAHC, not later than December 1, 2013, to adopt rules as required by Section 161.0417, Agriculture Code, as added by this Act.

SECTION 4. Effective date: September 1, 2013.