

BILL ANALYSIS

Senate Research Center
83R599 JXC-D

S.B. 174
By: Estes
Agriculture, Rural Affairs & Homeland Security
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The Texas Agriculture Code does not include bison in the list of animals protected under the estray law. This is likely because bison have been regarded as wildlife and have not traditionally been owned as private property, like cattle or other livestock.

Under the current classification, when a bison roams from its owner's land onto another person's property, the property owner is not required to provide notice to the owner of the bison, as is the case with roaming cattle under the estray law, and may dispose of the animal as he or she sees fit. This bill strikes a balance between the private property rights of bison owners and the real property rights of neighboring landowners by adding bison to the current estray law.

As proposed, S.B. 174 amends current law relating to the protection of stray bison.

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 142.001(1), Agriculture Code, to redefine "estrays" to include stray bison.

SECTION 2. Effective date: upon passage or September 1, 2013.