

## **BILL ANALYSIS**

H.B. 3952  
By: Phillips  
Agriculture & Livestock  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Interested parties note that given the lack of interest in establishing an indemnity fund by a majority of grain producers in Texas, the Texas Grain Producer Indemnity Board has voted to suspend its activities. H.B. 3952 provides for that suspension in state law.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

H.B. 3952 amends the Agriculture Code to establish that the Texas Grain Producer Indemnity Board is not abolished but is inactive as provided by the bill until reactivated. The bill sets the terms of office of the members of the board to expire, as determined by the commissioner of agriculture, on December 31, 2017, or when the board files its annual report for the board's fiscal year that includes September 1, 2017. The bill makes that report the board's final report unless the board is reactivated. The bill requires the Department of Agriculture (TDA) to administer the grain producer indemnity fund while the board is inactive. The bill requires the TDA to pay from money available in the fund all or part of any applicable claims that the TDA determines are valid. The bill requires the TDA, when the TDA determines that no potential claims remain, to refund on a pro rata basis any money remaining in the fund to grain producers who paid an applicable assessment. The bill requires the commissioner to order the reactivation of the board if at least 200 grain producers petition the commissioner to reactivate the board. The bill requires the commissioner to appoint board members if the board is reactivated.

### **EFFECTIVE DATE**

September 1, 2017.