

SUBJECT: Abolishing the office of inspector of hides and animals

COMMITTEE: Agriculture and Livestock — favorable, without amendment

VOTE: 6 ayes — Miller, Anderson, B. Brown, Aycock, Garcia, Heflin
0 nays
1 absent — Gallego

WITNESSES: None

BACKGROUND: The county office of inspector of hides and animals was established in 1871 and filled by appointment of the governor for four-year terms. The inspector was intended to aid in the prevention of cattle theft by thoroughly inspecting the hides and animals shipped out of the county for sale. After the Texas Constitution was adopted in 1876, the office became elective, and the term was shortened to two years. In 1954, the term was increased from two to four years. The Legislature then exempted many counties from electing an inspector.

Agriculture Code, ch. 148 regulates the slaughter of livestock. Secs. 148.044, 148.067, and 148.068 establish, respectively:

- the timetable for inspection of the hide and ears of slaughtered cattle by the inspector of hides and animals or county magistrate;
- that failure to have the hide and ears inspected is a misdemeanor punishable by a fine ranging from \$20 to \$200; and
- that failure of the inspector or magistrate to keep records of the inspection of hide and ears is a misdemeanor punishable by a fine ranging from \$1 to \$25.

Local Government Code, ch. 87 governs removing county officers from office and filling those vacancies. Sec. 87.012 lists the officers that are subject to removal, including an inspector of hides and animals. Sec. 87.041 lists the vacancies the commissioners court may fill, including an inspector of hides and animals.

Election Code, sec. 52.092 lists the state and county offices regularly filled at general elections, which includes the office of inspector of hides and animals. Election Code, sec. 172.024 sets the filing fee paid by a candidate for the office of inspector of hides and animals in a primary election.

DIGEST: HB 1631 would abolish the county office of inspector of hides and animals and delete statutory references to the office from the Election Code, Agriculture Code, and Local Government Code. The bill would require that any records of an inspector of hides and animals be transferred to the county clerk of the county previously served by the inspector.

This bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2007.

SUPPORTERS SAY: HB 1631 would remove an out-of-date reference in several statutes regarding a county office that no longer serves a purpose. According to the *Handbook of Texas*, published by the Texas State Historical Association, only about one-third of Texas counties had an inspector of hides and animals in 1945. The office has been virtually, if not completely, nonexistent since the early 1990s.

In 2003, the 78th Legislature enacted SB 1389 by Duncan, which removed the powers and duties of the office from the Agriculture Code, but the office is still mentioned in several other Texas statutes. The House Committee on County Affairs Interim Report to the 80th Legislature recommended the amendment of Texas statutes to remove all mention of the office of inspector of hides and animals.

OPPONENTS SAY: No apparent opposition.

NOTES: HJR 69 by Heflin, which would amend the Constitution to delete references to the office of inspector of hides and animals, is on today's Constitutional Amendments Calendar.