

BILL ANALYSIS

Senate Research Center
77R8632 YDB-F

H.B. 2463
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Health & Human Services
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Engrossed

DIGEST AND PURPOSE

Bovine tuberculosis (Bovine TB) is a contagious livestock disease that has been found in El Paso and Hudspeth, Texas. The United States Department of Agriculture is in negotiations to buy out affected dairies and requires that the state ensure that no new dairy operations are established in areas infected with Bovine TB. Under current law, the Texas Board of Health cannot deny a permit application for a dairy operation based solely on the existence of Bovine TB in the area where the dairy operation is established. H.B. 2463 prevents a new permit from being issued to a dairy operation located in an area infected with or at a high risk for Bovine TB.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the Texas Animal Health Commission in SECTION 2 (Section 435.006, Health and Safety Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends the heading of Chapter 435A, Health and Safety Code, to read as follows:

SUBCHAPTER A. MILK OFFERED FOR SALE AND MILK GRADING

SECTION 2. Amends Section 435.006, Health and Safety Code, as follows:

Sec. 435.006. New heading: PERMIT TO SELL MILK. (a) Requires a person who offers milk or milk products for sale or to be sold in this state to hold a permit issued by the Texas Board of Health (board). Requires the person to apply to the board or the board's representative for a permit. Deletes text regarding a Grade "A" label.

(d) Prohibits the board from issuing a permit to a person for a producer dairy located in an area infected with or at a high risk for bovine tuberculosis, as determined epidemiologically and defined by rule of the Texas Animal Health Commission.

SECTION 3. Provides that Section 435.006(d), Health and Safety Code, does not apply to a person operating in an infected area, as determined under that subsection, and holding a permit issued by the board under Chapter 435, Health and Safety Code, before the effective date of this Act.

SECTION 4. Effective date: upon passage or the 91st day after adjournment.