

BILL ANALYSIS

Senate Research Center

H.B. 2008
By: Hardcastle (Deuell)
Subcommittee on Agriculture
5/2/2003
Engrossed

DIGEST AND PURPOSE

The Agriculture Code has certain duplicative and outdated provisions relating to the Texas Department of Agriculture (TDA). Some of the duties allocated to TDA by statute are currently conducted under TDA's general authority, and other TDA duties are handled by other state agencies or by federal agencies. H.B. 2008 repeals certain duplicative and outdated provisions of the Agriculture Code.

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. Repealer:

Section 12.004 (Farmers' Institutes), Agriculture Code;
Section 12.008 (Grasses and Trees), Agriculture Code;
Section 12.009 (Animals and Animal Products), Agriculture Code;
Section 12.030 (Shared Foreign Sales Corporations), Agriculture Code;
Section 13.005 (Annual Report), Agriculture Code;
Section 13.006 (Records), Agriculture Code;
Section 13.103 (Inspection of Water, Gas, and Electric Meters), Agriculture Code;
Section 13.105 (County Sealers), Agriculture Code;
Section 13.106 (Local Sealers), Agriculture Code;
Section 13.107 (Sealer for More Than One Political Subdivision), Agriculture Code;
Sections 13.108(b) and (c) (Powers and Duties of Sealers), Agriculture Code;
Section 15.004 (Areas of Implementation), Agriculture Code;
Section 77.004 (Approval of Program by Department), Agriculture Code;
Section 77.005 (Federally Funded and Approved Programs), Agriculture Code;
Chapter 53 (Agriculture and Livestock Pools), Agriculture Code;
Chapter 96 (Sampling of Grain for Grading Purposes), Agriculture Code;
Chapter 104 (Marketing Orders), Agriculture Code;
Chapter 145 (Grading of Livestock), Agriculture Code; and
Chapter 252 (Family Farm and Ranch Security Program), Agriculture Code.

SECTION 2. Amends Section 13.109, Agriculture Code, as follows:

Sec. 13.109. RULES GOVERNING SEALERS. Requires the Texas Department of Agriculture (TDA) to issue instructions and adopt rules governing state, but not county and local, sealers as necessary to carry out the purposes of this chapter.

SECTION 3. Amends Section 13.110(a), Agriculture Code, to authorize each sealer, in accordance with this subchapter, to inspect and test all weights and measures used in the locality to which the sealer is assigned. Deletes text regarding the city or county in which the sealer is appointed.

SECTION 4. Amends Section 13.122, Agriculture Code, as follows:

Sec. 13.122. PENALTIES. Deletes text providing that an offense under Section 13.103 or 13.106 is a Class C misdemeanor.

SECTION 5. Abolishes the farm and ranch loan security fund created under Section 252.081, Agriculture Code.

SECTION 6. Amends Section 146.021, Agriculture Code, as follows:

Sec. 146.021. DEPARTMENT FACILITIES. Authorizes TDA to receive and hold for processing animals and animal products transported in international trade and to establish and collect reasonable fees for yardage, maintenance, feed, medical care, facility use, and other necessary expenses incurred in the course of processing those animals.

SECTION 7. Effective date: September 1, 2003.