

BILL ANALYSIS

Senate Research Center

S.B. 1389
By: Duncan
Subcommittee on Agriculture
3/25/2003
As Filed

DIGEST AND PURPOSE

As proposed, S.B. 1389 amends provisions of the Agriculture Code relating to livestock branding and identification.

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 144.001(b), Agriculture Code, to authorize a person who owns livestock, rather than a horse, to have and use techniques to identify the livestock.

SECTION 2. Amends Chapter 144.041, Agriculture Code, by amending Subsection (b) and adding Subsection (f), as follows:

(b) Requires a person who owns livestock, rather than a horse, to record an identification mark authorized by Section 144.001(b) with the county clerk of the county in which the animal is located.

(f) Requires a county clerk to forward a copy of the record to the association authorized to inspect livestock under 7 U.S.C. Section 217a, not later than the 30th day after the date the clerk receives a record under this section.

SECTION 3. Amends Section 144.042, Agriculture Code, as follows:

Sec. 144.042. RECORDING. Requires the county clerk, in recording a mark or other brand, to note the date on which the mark or brand is recorded.

SECTION 4. Amends Section 144.044, Agriculture Code, by adding Subsection (d) to require a county clerk to forward a copy of the record to the association authorized to inspect livestock under 7 U.S.C. Section 217a, not later than the 30th day after the date the clerk received a record under this section.

SECTION 5. Amends Section 146.002, Agriculture Code, as follows:

Sec. 146.002. New heading: RECORDING BILL OF SALE AND LIST OF ANIMALS BEFORE TRANSPORTING.

SECTION 6. Amends Sections 146.002(a) and (d), Agriculture Code, as follows:

(a) Requires a person who purchases animals of a class listed in Section 146.001 of this code for the purpose of transporting the animals, rather than driving to a market, out of the county

where purchased or out of this state to, before transporting, rather than moving, the animals out of the county, record with the county clerk certain information.

(d) Makes conforming changes.

SECTION 7. Amends the heading of Section 146.006, Agriculture Code, to read as follows:

Sec. 146.006. PENALTY FOR TRANSPORTING LIVESTOCK WITHOUT BILL OF SALE OR SWORN LIST.

SECTION 8. Amends Section 146.006(a), Agriculture Code, to provide that a person commits an offense if the person transports, rather than drives to market, animals of a class listed in Section 146.001 of this code without possessing certain information. Makes conforming changes.

SECTION 9. Repealer: Sections 144.073 (Road Brand), Agriculture Code; 144.123 (Marking or Branding Outside Pen), Agriculture Code; 144.126 (Driving Cattle Without Road Brand), Agriculture Code; Subchapter B, Chapter 144, Agriculture Code; Subchapter D, Chapter 144, Agriculture Code; and Subchapter C, Chapter 146, Agriculture Code.

SECTION 10. Makes application of this Act prospective.

SECTION 11. Effective date: September 1, 2003.