

BILL ANALYSIS

Senate Research Center

H.B. 1992
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The Texas Animal Health Commission (TAHC) has the authority to adopt and enforce regulations to prevent, control, and eradicate specific infectious animal diseases or pests that endanger livestock, exotic livestock, and poultry. TAHC is also the primary Texas agency for addressing animal disaster issues, including animal diseases, and for ensuring consumer confidence that animals and animal products in Texas are disease-free. A healthy animal population increases the marketability and mobility of the state's livestock, from both an interstate and international perspective.

A recent recommendation would change TAHC's funding structure from one that is primarily funded through the state's general revenue fund to one in which a portion of the funding comes from fees for services, a change that would require TAHC to generate new fee revenue streams to fund up to approximately half of its future budgets. Currently, TAHC's authority to assess fees lies primarily with inspection processes, which restricts the agency's ability to ensure fair and equitable revenue streams in the future.

H.B. 1992 provides TAHC with authority to assess any appropriate fees for the services or enforcement actions TAHC provides to agricultural animal industries, which will help TAHC achieve the proposed change to its method of funding.

H.B. 1992 amends current law relating to the authority of the Texas Animal Health Commission to set and collect fees.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the Texas Animal Health Commission in SECTION 1 (Section 161.060, Agriculture Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 161.060, Agriculture Code, as follows:

Sec. 161.060. New heading: **AUTHORITY TO SET AND COLLECT FEES.** (a) Creates this subsection from existing text. Authorizes the Texas Animal Health Commission (TAHC) to charge a fee, as provided by TAHC rule, for an inspection made by TAHC.

(b) Authorizes TAHC by rule to set and collect a fee for any service provided by TAHC. Prohibits TAHC from collecting more than \$2 million in fees under this section during a biennium.

(c) Requires a fee collected under this section to be deposited in a dedicated account in the general revenue fund to be used only for the purpose for which the fee was collected.

SECTION 2. Effective date: September 1, 2011.