

## **BILL ANALYSIS**

Senate Research Center  
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S.B. 1750  
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As Filed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

In the State of Texas, before animals are sold, they are to be checked for any diseases they may have. The Texas Animal Health Commission (TAHC) issues a hold order if the animals are not up to date on their vaccinations or if they have tested positive or have been deemed to have been exposed to certain diseases. Determination of what constitutes "exposure" varies by disease. Once the hold order is issued, the animal's owners have 10 days to either bring the animal up to date on its vaccinations, and test clean, or slaughter it. In some cases, the animals disappear in this 10-day period of time, without any way for TAHC to track them. In this manner, infected animals may end up in another state and infect, or at least expose, other livestock and fowl.

Although the Agriculture Code currently penalizes for mishandling infected animals, S.B. 1750 makes it a Class C Misdemeanor to improperly handle or move certain animals which the owner has been notified—normally through a hold order—have been infected with or exposed to certain diseases.

As proposed, S.B. 1750 amends current law relating to a criminal penalty for failure to handle certain animals in accordance with rules of the Texas Animal Health Commission.

### **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 161.041(c), Agriculture Code, as follows:

(c) Provides that a person commits an offense if the person knowingly fails to handle, in accordance with rules adopted by the Texas Animal Health Commission (TAHC), livestock, exotic livestock, domestic fowl, or exotic fowl exposed to a disease listed in Subsection (a) (relating to a list of diseases from which TAHC is required to protect all livestock, exotic livestock, domestic fowl, and exotic fowl) if TAHC has notified the person that the animal was exposed to the disease, or the movement of which is restricted under rules adopted by TAHC. Makes nonsubstantive changes.

SECTION 2. Makes application of the change in law made by this Act prospective.

SECTION 3. Effective date: September 1, 2013.