

BILL ANALYSIS

Senate Research Center
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H.B. 3738
By: Cyrier (Kolkhorst)
Agriculture, Water & Rural Affairs
5/6/2015
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Interested parties note that current law provides certain requirements regarding the testing of equine animals for equine infectious anemia and that a certain federal agency has a process for the approval of diagnostic laboratories that conduct that testing. The parties further note that it is likely that future rule changes of that agency will alter the current federal role in regulating diagnostic laboratories that test for equine infectious anemia and potentially leave the responsibility of approving such laboratories to the states. The parties contend that if this occurs there should be a state agency with the ability to approve the laboratories so that the testing can continue to be completed to keep up with demand. H.B. 3738 seeks to address this issue.

H.B. 3738 amends current law relating to the requirement that a person or laboratory that performs an official equine infectious anemia test be approved by the Texas Animal Health Commission.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the Texas Animal Health Commission in SECTION 1 (Section 161.0602, Agriculture Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter C, Chapter 161, Agriculture Code, by adding Section 161.0602, as follows:

Sec. 161.0602. PERSONS OR LABORATORIES PERFORMING EQUINE INFECTIOUS ANEMIA TESTS. (a) Requires the Texas Animal Health Commission (TAHC) to adopt rules that require a person or laboratory to be approved by TAHC if the person or laboratory performs an official equine infectious anemia test.

(b) Requires that the rules adopted under this section include:

- (1) approval requirements;
- (2) provisions governing the issuance, renewal, and revocation of an approval;
- (3) inspection requirements;
- (4) recordkeeping requirements;
- (5) equine infectious anemia testing methods approved by TAHC; and
- (6) proficiency standards.

SECTION 2. Requires TAHC, not later than December 1, 2015, to adopt rules as required by Section 161.0602, Agriculture Code, as added by this Act.

SECTION 3. Effective date: September 1, 2015.