

BILL ANALYSIS

Senate Research Center
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H.B. 3243
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Business & Commerce
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Interested parties contend that the structural pest control advisory committee would benefit from additional guidance in fulfilling its responsibility to advise the Texas Department of Agriculture and the commissioner of agriculture on various topics regarding structural pest control. H.B. 3243 addresses this issue by updating and clarifying the role of the committee.

H.B. 3243 amends current law relating to the duties of the structural pest control advisory committee.

RULEMAKING AUTHORITY

Rulemaking authority previously granted to the Texas Department of Agriculture is modified in SECTION 2 (Section 1951.105, Occupations Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 1951.104, Occupations Code, as follows:

Sec. 1951.104. DUTIES OF COMMITTEE. (a) Creates this subsection from existing text and makes no further changes to this subsection.

(b) Requires the Texas Department of Agriculture (TDA), before TDA proposes a rule for adoption, to submit the proposed rule to the structural pest control advisory committee (committee) to provide advice as described by Subsection (a)(2)(C) (relating to requiring the committee to advise TDA and the commissioner of agriculture (commissioner) on certain proposed rules and standards). Requires the committee to:

(1) vote on whether to recommend that the rule be proposed for adoption;
and

(2) provide the recommendation under Subdivision (1) to TDA not later than the 60th day after the date the proposed rule was submitted to the committee for review.

(c) Requires TDA, for the purpose of advising TDA on rules related to enforcement under Subsection (a), on request of the presiding officer of the committee, to allow the committee to review a completed disciplinary investigation file.

SECTION 2. Amends Section 1951.105, Occupations Code, by amending Subsection (b) and adding Subsection (c), as follows:

(b) Requires the committee to:

(1) at the first meeting of each year, elect from the committee's members a presiding officer and an assistant presiding officer to serve a term of one year;

(2) creates this subdivision from existing text and makes no further changes to this subdivision;

(3) and (4) redesignates existing Subdivisions (2) and (3) as Subdivisions (3) and (4) and makes no further changes to these subdivisions.

(c) Requires that the rules adopted under Subsection (a) (relating to requiring TDA to adopt certain rules for the operation of the committee) provide that the presiding officer of the committee:

(1) is responsible for setting an agenda for each committee meeting; and

(2) is authorized to add an item to an agenda on request by TDA or the commissioner.

SECTION 3. Effective date: September 1, 2017.