

1-1 By: Jackson S.B. No. 682  
1-2 (In the Senate - Filed February 23, 2005; March 2, 2005,  
1-3 read first time and referred to Subcommittee on Agriculture and  
1-4 Coastal Resources; March 8, 2005, reported favorably to Committee  
1-5 on Natural Resources; March 21, 2005, reported adversely, with  
1-6 favorable Committee Substitute from Committee on Natural Resources  
1-7 by the following vote: Yeas 7, Nays 0; March 21, 2005, sent to  
1-8 printer.)

1-9 COMMITTEE SUBSTITUTE FOR S.B. No. 682 By: Jackson

1-10 A BILL TO BE ENTITLED  
1-11 AN ACT

1-12 relating to the development of an animal identification program;  
1-13 providing a criminal penalty.

1-14 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-15 SECTION 1. Section 161.056, Agriculture Code, is amended to  
1-16 read as follows:

1-17 Sec. 161.056. ANIMAL IDENTIFICATION PROGRAM [~~OF EXOTIC~~  
1-18 ~~ANIMALS~~]. (a) In order to provide for disease control and enhance  
1-19 the ability to trace disease-infected animals or animals that have  
1-20 been exposed to disease, the commission may develop and implement  
1-21 an animal identification program that is consistent with the United  
1-22 States Department of Agriculture's National Animal Identification  
1-23 System.

1-24 (b) The commission may recognize the following as official  
1-25 identification numbers in the state:

1-26 (1) premises identification numbers assigned to each  
1-27 geographically unique location associated with animal agriculture;

1-28 (2) individual animal identification numbers; and

1-29 (3) group identification numbers.

1-30 (c) The commission may require the use of official  
1-31 identification numbers assigned as part of the animal  
1-32 identification program for animal disease control, animal  
1-33 emergency management, and other commission programs.

1-34 (d) The commission may establish a date by which all  
1-35 premises must be registered and may assess a registration fee on all  
1-36 entities that register for a premises identification number.

1-37 (e) Information collected by the commission under this  
1-38 section is exempt from the public disclosure requirements of  
1-39 Chapter 552, Government Code. The commission may provide  
1-40 information to another person, including a governmental entity,  
1-41 without altering the confidential status of the information. The  
1-42 commission may release information to:

1-43 (1) a person who owns or controls animals and seeks  
1-44 information regarding those animals, if the person requests the  
1-45 information in writing;

1-46 (2) the attorney general's office, for the purpose of  
1-47 law enforcement;

1-48 (3) the secretary of the United States Department of  
1-49 Agriculture, for the purpose of animal health protection;

1-50 (4) the secretary of the Department of Homeland  
1-51 Security, for the purpose of homeland security;

1-52 (5) the Department of State Health Services, for the  
1-53 purpose of protecting the public health from zoonotic diseases;

1-54 (6) any person, under an order of a court of competent  
1-55 jurisdiction;

1-56 (7) a state, municipal, or county emergency management  
1-57 authority, for the purpose of management or response to natural or  
1-58 man-made disasters; or

1-59 (8) any person the executive director of the  
1-60 commission considers appropriate, if the executive director  
1-61 determines that:

1-62 (A) livestock may be threatened by a disease,  
1-63 agent, or pest; and

2-1                    (B) the release of the information is related to  
2-2 actions the commission may take under this section.

2-3                    (f) Notwithstanding Subsection (e), the commission shall  
2-4 release information collected under this section if the release is  
2-5 necessary for emergency management purposes under Chapter 418,  
2-6 Government Code. The release of information under this subsection  
2-7 does not alter the confidential status of the information.

2-8                    (g) A person commits an offense if the person fails to  
2-9 comply with an order or rule adopted under this section.

2-10                   (h) An offense under Subsection (g) is a Class C misdemeanor  
2-11 unless it is shown on the trial of the offense that the defendant  
2-12 has been convicted previously under this section, in which case the  
2-13 offense is a Class B misdemeanor.

2-14                   (i) The commission may adopt rules necessary to implement  
2-15 and enforce this section [~~to establish a standard method for~~  
2-16 ~~identifying and tracking exotic livestock and exotic fowl].~~

2-17                    SECTION 2. This Act takes effect September 1, 2005.

2-18                    \* \* \* \* \*