

By: King of Uvalde

H.B. No. 1293

A BILL TO BE ENTITLED

AN ACT

relating to bees, the chief apiary inspector, and the regulation of  
beekeepers; authorizing fees; requiring an occupational  
registration; providing a criminal penalty.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section [131.001](#), Agriculture Code, is amended by  
amending Subdivisions (2), (3), (4), (5), (6), (7), and (8), and  
adding Subdivisions (8-a), (12-a), (12-b), (16), and (17) to read  
as follows:

(2) "Apiary" means a place where ~~[six or more]~~  
colonies of bees or nuclei of bees are kept.

(3) "Beekeeper" means a person who owns, leases,  
possesses, controls, or manages one or more colonies of bees for any  
~~[pollination or the production of honey, beeswax, or other~~  
~~by-products, either for]~~ personal or commercial purpose ~~[use]~~.

(4) "Bee" means any stage of a member of the genus ~~[the~~  
~~common honeybee,~~] *Apis* ~~[mellifera species]~~.

(5) "Colony" means all of the bees living together as  
one social unit and may include the hive and its ~~[equipment and]~~  
appurtenances including bees, brood, comb, honey, and pollen~~[, and~~  
~~brood]~~.

(6) "Director" means the director of ~~[the]~~ Texas A&M  
AgriLife Research ~~[Agricultural Experiment Station]~~.

(7) "Disease" means American foulbrood, ~~[European~~

1 ~~foulbrood,~~ any other [~~contagious or infectious~~] disease of honey  
2 bees [~~honeybees~~], or parasites [~~or pests~~] that affect bees or brood  
3 and that are considered deleterious by the chief apiary inspector.

4 (8) "Equipment" means hives, supers, frames, veils,  
5 gloves, tools, machines, vacuums, or other devices for the handling  
6 and manipulation of bees, honey, pollen, wax, or hives,  
7 including[~~7~~] storage or transporting containers for pollen, honey,  
8 or wax[~~7~~] or other apiary supplies used in the operation of an  
9 apiary or honey house.

10 (8-a) "Hive" means a container or structure used by a  
11 beekeeper to provide a cavity in which a colony of bees is expected  
12 to establish a permanent nest.

13 (12-a) "Package" means live bees in cages without  
14 combs or honey used in forming a new colony.

15 (12-b) "Pest" means an insect, mite, or organism that  
16 causes damage or abnormality to bees and that is considered  
17 deleterious by the chief apiary inspector.

18 (16) "Reportable disease" and "reportable pest" mean a  
19 disease or pest that presents a significant threat to the  
20 population of honey bees and that has been designated by the chief  
21 apiary inspector as a disease or pest that must be reported under  
22 Section 131.025.

23 (17) "Unwanted species of bees" means a species of  
24 bees, including a non-Apis species of bees, that is considered  
25 deleterious by the chief apiary inspector and that must be reported  
26 under Section 131.025.

27 SECTION 2. Section 131.004(a), Agriculture Code, is amended

to read as follows:

(a) The chief apiary inspector may employ assistants and inspectors as necessary, subject to the approval of the director ~~[and governing board of the experiment station]~~.

SECTION 3. Section 131.005(a), Agriculture Code, is amended to read as follows:

(a) The chief apiary inspector shall make an annual report to the director giving a detailed account of all ~~[inspection]~~ activities, receipt and use of funds, and compliance actions brought under this chapter.

SECTION 4. The heading to Section 131.007, Agriculture Code, is amended to read as follows:

Sec. 131.007. PUBLIC ~~[PUBLISHING]~~ INFORMATION.

SECTION 5. Section 131.007(a), Agriculture Code, is amended to read as follows:

(a) The chief apiary inspector shall publish information and present educational programs on methods and directions for treating, eradicating, or suppressing ~~[infectious]~~ diseases and pests of honey bees and unwanted species of bees ~~[honeybees]~~, the rules adopted for those purposes, and other information that the inspector considers of value or necessity to the beekeeping interests of this state.

SECTION 6. Section 131.010, Agriculture Code, is amended to read as follows:

Sec. 131.010. FEES. The chief apiary inspector shall make a reasonable effort to set the fees charged under this chapter at amounts that are reasonable in relation to the costs of

1 administering this chapter. In setting fees, ~~[amounts that will~~  
2 ~~produce enough revenue to approximate 50 percent of the inspector's~~  
3 ~~total budget. In achieving this goal,~~] the inspector shall balance  
4 the revenue needs against the effect of the fees on the industry.

5 SECTION 7. The heading to Subchapter B, Chapter 131,  
6 Agriculture Code, is amended to read as follows:

7 SUBCHAPTER B. DISEASE AND PEST CONTROL

8 SECTION 8. Section 131.021, Agriculture Code, is amended to  
9 read as follows:

10 Sec. 131.021. POWERS AND DUTIES OF CHIEF APIARY INSPECTOR.

11 (a) For the purpose of enforcing this chapter, the chief apiary  
12 inspector may:

13 (1) adopt rules and act as necessary to control,  
14 eradicate, or prevent the introduction, spread, or dissemination of  
15 ~~[contagious or infectious]~~ diseases, pests, or unwanted species of  
16 bees;

17 (2) prohibit the shipment or entry into this state of  
18 bees, honey, combs, pollen, or other items capable of transmitting  
19 diseases, pests, and unwanted species of bees from another state,  
20 territory, or foreign country except in accordance with rules  
21 adopted by the inspector; ~~[and]~~

22 (3) seize and order the destruction or ~~[~~ treatment~~]~~  
23 ~~or sale~~ of a colony of bees, equipment, pollen, or honey that:

24 (A) is determined to be diseased or ~~[~~  
25 infectious;

26 (B) contains unwanted species of bees or pests; ~~[~~  
27 ~~abandoned,~~ or

1                    (C) is in violation of this chapter or a rule or  
2 quarantine adopted under this chapter; and

3                    (4) seize and order the destruction, treatment, or  
4 sale of a colony of bees, equipment, pollen, or honey that is  
5 determined by the inspector to be abandoned.

6            (b) For purposes of this section, apiaries, equipment, or  
7 bees are considered infectious if:

8                    (1) the bees are not hived with movable frames or not  
9 stored so as to prevent the possible spread of disease or pests; or

10                    (2) the bees, equipment, or apiary generally comprise  
11 a hazard or threat to disease control in the beekeeping industry.

12            SECTION 9. Section [131.022](#), Agriculture Code, is amended by  
13 amending Subsection (a) and adding Subsections (c) and (d) to read  
14 as follows:

15            (a) If the chief apiary inspector determines that ~~[the]~~  
16 public welfare or protection of the beekeeping industry requires  
17 the establishment of a quarantine, the inspector may:

18                    (1) declare a protective quarantine of a district,  
19 county, precinct, or other defined area in which a disease of bees,  
20 a pest of bees, or an unwanted ~~[a deleterious exotic]~~ species of  
21 bees is not known to exist or in which the disease, pest, or  
22 unwanted ~~[exotic]~~ species of bees is being eradicated in accordance  
23 with this subchapter; or

24                    (2) declare a restrictive quarantine of a district,  
25 county, precinct, or other defined area in which a disease of bees,  
26 a pest of bees, or an unwanted ~~[a deleterious exotic]~~ species of  
27 bees is located.

1        (c) On request from a beekeeper, the inspector may grant an  
2 exemption to a quarantine imposed under this section. The  
3 inspector may adopt rules for submitting requests and granting  
4 exemptions under this subsection.

5        (d) A beekeeper directly affected by a quarantine imposed  
6 under this section may petition the director for a review of the  
7 inspector's quarantine order or the inspector's denial of the  
8 beekeeper's request for exemption under Subsection (c). The  
9 request must be in writing and filed with the director not later  
10 than the 30th day after the date the quarantine is initiated or the  
11 beekeeper receives notice that the exemption request is denied, as  
12 applicable.

13        SECTION 10. Section 131.023, Agriculture Code, is amended  
14 to read as follows:

15        Sec. 131.023. SALE OF QUEEN BEE AND ATTENDANTS, PACKAGE  
16 BEES, COLONIES, AND NUCLEI. (a) Except as provided by Subsection  
17 (b), a [A] person may not sell or offer for sale a queen bee and  
18 attendant bees, package bees, colonies, nuclei, or queen cells in  
19 this state unless the bees are accompanied by a certificate of  
20 inspection that certifies that the bees are apparently free from  
21 disease and pests based on an actual inspection conducted not more  
22 than 12 months before the date of the sale.

23        (b) This section does not apply to a person who annually  
24 sells less than:

25                (1) a total of 25 queen bees, packages of bees,  
26 colonies, and nuclei; and

27                (2) 100 queen cells ~~[copy of a certificate from the~~

~~chief apiary inspector certifying that the apiary from which the queen bee was shipped has been inspected not more than 12 months before the date of shipment and found apparently free from disease, or~~

~~[(2) a copy of an affidavit made by the beekeeper stating that:~~

~~[(A) to his knowledge, the bees are not diseased, and~~

~~[(B) the honey used in making the candy contained in the queen cage has been diluted and boiled for at least 30 minutes in a closed vessel].~~

SECTION 11. Section 131.024, Agriculture Code, is amended by amending Subsections (b) and (c) and adding Subsections (b-1) and (b-2) to read as follows:

(b) Before ~~[At least five days before]~~ an item seized under Section 131.021 ~~[of this code]~~ may be treated, destroyed, or sold, the inspector shall provide ~~[send by certified mail, return receipt requested,]~~ written notice of the proposed disposition of the item to the ~~[last known address of the]~~ beekeeper or the owner of the item in the manner provided by Subsection (b-1) or (b-2). The notice must describe the item, the proposed disposition of the item, and the reason for the disposition.

(b-1) The inspector shall, not later than the fifth day before the proposed disposition date:

(1) send written notice to the beekeeper's or owner's last known address by first class mail and by certified mail, return receipt requested; and

1           (2) provide written notice to the beekeeper or owner  
2 by:  
3                   (A) hand delivery;  
4                   (B) process server delivery; or  
5                   (C) next-day delivery through the United States  
6 Postal Service or a similar service.

7           (b-2) If the name or address of the beekeeper or owner of the  
8 item is unknown, the inspector shall , not later than the fifth day  
9 before the proposed disposition date:

10                   (1) publish notice of the proposed disposition [~~for at~~  
11 ~~least five consecutive days~~] in at least one issue of a newspaper of  
12 general circulation in the county where the property was seized; or

13                   (2) post notice of the proposed disposition on [~~for at~~  
14 ~~least five consecutive days in three public places, including~~] the  
15 door of the county courthouse or at another location designated for  
16 public notices [~~7~~] in the county where the property was seized.

17           (c) If the inspector sells bees, equipment, pollen, or honey  
18 at a public auction under this section, the inspector shall return  
19 the proceeds of the sale to the former owner, , if known, after  
20 deducting the costs of the sale.

21           SECTION 12. Section 131.025, Agriculture Code, is amended  
22 to read as follows:

23           Sec. 131.025. REPORTABLE DISEASES AND PESTS; UNWANTED  
24 SPECIES OF BEES [~~DUTY TO REPORT DISEASED BEES~~]. (a) The chief  
25 apiary inspector shall maintain and publish:

26                   (1) a list of reportable diseases and reportable  
27 pests; and



1           (2) a list of unwanted species of bees.

2           **(b)** If a beekeeper knows that a colony of bees has a  
3 reportable disease or contains a reportable pest or an unwanted  
4 species of bee [~~is diseased~~], the beekeeper shall immediately  
5 report to the chief apiary inspector all facts known about the  
6 situation [~~diseased bees~~].

7           SECTION 13. Section 131.041, Agriculture Code, is amended  
8 to read as follows:

9           Sec. 131.041. PERMIT           FOR           INTERSTATE           MOVEMENT  
10 [~~IMPORTATION~~]. (a) A person may not ship or cause to be shipped  
11 bees or equipment into or out of this state unless the person has a  
12 permit issued by the chief apiary inspector authorizing the  
13 shipment.

14           (b) A person may apply for a permit under this section by  
15 filing an application with the inspector. A person may apply for a  
16 permit at any time, but a person must apply for a permit before the  
17 10th day preceding the date of the shipment if the person does not  
18 hold a permit on that date. An application for a permit must  
19 include all information required by the chief apiary inspector.

20           **(b-1)** A permit issued under this section applies to all  
21 shipments made by the beekeeper and expires on August 31 following  
22 the date the permit is issued.

23           **(b-2)** For a shipment originating outside this state:

- 24           (1) [~~a complete description of the shipment,~~  
25           ~~(2) the destination of the shipment,~~  
26           ~~(3) the approximate date of the shipment,~~  
27           ~~(4) the names and addresses of the consignor and~~

1 ~~consignee, and~~

2           ~~[(5)]~~ a certificate of inspection signed by the  
3 official apiary inspector or entomologist of the state, territory,  
4 or country from which the bees are to be shipped is required before  
5 the shipment may enter the state; or

6           (2) the chief apiary inspector of Texas must have  
7 inspected the shipment not more than 12 months before the date of  
8 the shipment.

9           (c) A certificate of inspection for a permit required by  
10 Subsection (b-2) ~~[(b)(5) of this section]~~ must certify that the  
11 bees or equipment are apparently free from disease and pests based  
12 on an actual inspection conducted not more than 12 months before the  
13 date of the shipment. If the bees or equipment are to be shipped  
14 into this state from a state, territory, or country that does not  
15 have an official apiary inspector or entomologist:

16           (1) ~~[7]~~ the person shipping the bees or equipment may  
17 provide other suitable evidence that the bees and equipment are  
18 free from disease and pests; or

19           (2) the bees may be shipped into this state under  
20 quarantine and the person receiving the shipment shall have the  
21 bees inspected not later than the 30th day after the date the bees  
22 enter this state.

23           (d) If a person files an application in accordance with  
24 Subsection (b) ~~[of this section]~~ and the inspector is satisfied  
25 that the shipment does not pose a threat to disease or pest control  
26 in the beekeeping industry, the inspector shall issue a permit  
27 authorizing the shipment.

(e) This section does not apply to a shipment of package  
[live] bees [~~in wire cages without combs or honey~~].

(f) The inspector shall charge a fee for each permit issued  
under this section. The inspector shall set the fee at an amount  
that is reasonable in relation to the costs of administering this  
section.

(g) An individual who is exempt from registration under  
Section 131.045 is exempt from the permit fee charged under  
Subsection (f).

SECTION 14. Section 131.044, Agriculture Code, is amended  
to read as follows:

Sec. 131.044. CERTIFICATE OF INSPECTION. (a) A person who  
wants a certificate of inspection for bees, equipment, pollen, or  
honey must [~~file a written~~] request [~~for~~] the inspection from  
[~~with~~] the chief apiary inspector.

(b) On receipt of a request, the inspector shall authorize  
the inspection of the bees, equipment, pollen, or honey for the  
presence of disease, pests, and unwanted species of bees.

(c) If no [~~a~~] disease, pest, or unwanted species of bee is  
[~~not~~] found in the bees, equipment, pollen, or honey, the inspector  
shall certify in writing that the bees, equipment, pollen, or honey  
is apparently free from disease, pests, and unwanted species of  
bees.

(d) The inspector shall charge fees for inspections  
requested under this section. The inspector shall set the fees in  
amounts that are reasonable in relation to the costs of  
administering this section [~~, but at not less than the following~~]

amounts:

~~[(1) for each inspection of an apiary or group of  
apiaries, except a queen apiary, located within an area of 100  
square miles . . . . . \$ 50~~

~~[(2) for an inspection of a queen apiary or group of  
queen apiaries located within an area of 100 square miles . . . \$200~~

~~[(3) for each additional inspection of a queen apiary  
or group of queen apiaries located within an area of 100 square  
miles . . . . . \$ 50].~~

(e) The beekeeper of diseased bees or of equipment that  
contains a pest or an unwanted species of bee shall pay an  
additional fee, in a reasonable amount set by the inspector ~~[at not  
less than \$25]~~, for each subsequent inspection that the inspector  
determines is necessary to contain, treat, or eradicate the  
disease, pest, or unwanted species of bee.

SECTION 15. Section 131.045, Agriculture Code, is amended  
to read as follows:

Sec. 131.045. BEEKEEPER ~~[APIARY]~~ REGISTRATION. (a) Except  
as provided by Subsection (d), each beekeeper in this state shall  
annually register with the ~~[The]~~ chief apiary inspector ~~[may  
provide for the periodic registration of all apiaries in this  
state].~~ A registration under this section expires August 31.

(b) A registration must include:

(1) information required by the chief apiary  
inspector ~~[the beekeeper's name, address, and telephone number];  
and~~

(2) the county or counties in which the beekeeper

1 operates [~~apiary will be located, and~~  
2 ~~[(3) the approximate dates that the apiary will be~~  
3 ~~located in each county]~~.

4 (c) The inspector may require a beekeeper to submit with the  
5 registration information a map showing the exact location of each  
6 of the beekeeper's apiaries. A map submitted under this section is  
7 a trade secret under Chapter 552, Government Code, and may not be  
8 disclosed.

9 (d) A beekeeper with an annual average of fewer than 25  
10 colonies or nuclei is exempt from mandatory registration under this  
11 section but may voluntarily register.

12 (e) The chief apiary inspector shall charge a fee for each  
13 registration issued under this section. The inspector shall set  
14 the fee at an amount that is reasonable in relation to the costs of  
15 administering this section.

16 SECTION 16. Section 131.046(a), Agriculture Code, is  
17 amended to read as follows:

18 (a) Fees collected under this subchapter shall be deposited  
19 in the State Treasury [~~to the credit of a special fund to be known as~~  
20 ~~the bee disease control fund to be used only to defray the costs of~~  
21 ~~administering and enforcing this chapter]~~.

22 SECTION 17. The heading to Subchapter D, Chapter 131,  
23 Agriculture Code, is amended to read as follows:

24 SUBCHAPTER D. BRANDING AND IDENTIFICATION OF HIVES [~~APIARY~~  
25 ~~EQUIPMENT~~]

26 SECTION 18. Section 131.061, Agriculture Code, is amended  
27 to read as follows:

1           Sec. 131.061. IDENTIFICATION REQUIRED. (a) Except as  
2 provided by Subsection (b), a [A] person may not operate an apiary  
3 in this state unless the hives are ~~[apiary equipment is]~~:

4               (1) clearly and permanently ~~[indelibly]~~ marked with  
5 the name ~~[and address]~~ of the person as provided by Section 131.064;  
6 ~~[or]~~

7               (2) branded in accordance with Section 131.064 ~~[of~~  
8 ~~this code]~~ with a brand registered to the person by the chief apiary  
9 inspector; or

10              (3) identified by a weatherproof sign posted within  
11 the apiary containing the name and contact information or the brand  
12 number of the person managing the apiary, printed in lettering at  
13 least one inch high.

14              (b) An apiary at the principal residence of a beekeeper is  
15 exempt from the requirements of Subsection (a).

16           SECTION 19. Section 131.062(a), Agriculture Code, is  
17 amended to read as follows:

18              (a) The chief apiary inspector shall maintain a system of  
19 registration of beekeeper ~~[apiary equipment]~~ brands to identify  
20 equipment used by the ~~[a]~~ beekeeper ~~[in an apiary]~~. The inspector  
21 shall assign a brand number to each beekeeper when the beekeeper  
22 registers under Section 131.045.

23           SECTION 20. Section 131.064, Agriculture Code, is amended  
24 to read as follows:

25              Sec. 131.064. MANNER OF AFFIXING NAME OR BRAND TO HIVES  
26 [EQUIPMENT]. A name or brand must be affixed to a hive ~~[registrant~~  
27 ~~shall affix the registered brand to his or her apiary equipment]~~ by

burning, ~~[or]~~ pressing, painting, or otherwise permanently marking  
the name or brand, in figures at least one-half ~~[three-quarters]~~ of  
an inch high, into the wood or other material in a manner that shows  
the identification of the hive ~~[equipment]~~. The ~~[registrant shall~~  
~~affix the]~~ name or brand must be affixed on one or both ends of the  
hive. ~~[On other equipment, including a frame, intercover, top,~~  
~~bottom, or plank, the registrant may affix the brand in any place.]~~

SECTION 21. Section 131.065(c), Agriculture Code, is  
amended to read as follows:

(c) A person may sell an individual piece of branded  
equipment, but the brand is not transferred to the buyer. If the  
buyer of the equipment has a brand, the buyer shall affix the  
buyer's brand above or below the brand of the prior owner.

SECTION 22. Section 131.101, Agriculture Code, is amended  
to read as follows:

Sec. 131.101. ENFORCEMENT AUTHORITY. The chief apiary  
inspector is the official responsible for enforcing Subchapters B,  
C, and D ~~[of this chapter]~~. The ~~[Texas]~~ Department of State Health  
Services is the agency responsible for enforcing Subchapter E ~~[of~~  
~~this chapter]~~.

SECTION 23. Section 131.102(b), Agriculture Code, is  
amended to read as follows:

(b) The ~~[Texas]~~ Department of State Health Services may  
enter at a reasonable hour any public or private premises,  
including a building, depot, express office, storeroom, vehicle, or  
warehouse, in which bees, equipment, pollen, or honey may be  
located to determine whether a violation of Subchapter E ~~[of this~~

chapter] has occurred or is occurring.

SECTION 24. The heading to Section 131.121, Agriculture Code, is amended to read as follows:

Sec. 131.121. DISEASE AND PEST CONTROL.

SECTION 25. Section 131.121(a), Agriculture Code, is amended to read as follows:

(a) A person commits an offense if the person:

(1) violates a provision of Section 131.022 or 131.023 ~~[of this code]~~;

(2) fails to report reportable diseases, reportable pests, or unwanted species of ~~[diseased]~~ bees in accordance with Section 131.025 ~~[of this code]~~;

(3) ships or causes bees or equipment to be shipped into this state ~~[or between counties in this state]~~ without the permit required by Section 131.041 ~~[or 131.043 of this chapter]~~;

(4) violates a rule, order, or quarantine of the chief apiary inspector adopted under this chapter;

(5) prevents or attempts to prevent an inspection of bees, equipment, pollen, or honey under the direction of the inspector under this chapter;

(6) prevents or attempts to prevent the discovery or treatment of reportable diseases, reportable pests, or unwanted species of ~~[diseased]~~ bees;

(7) interferes with or attempts to interfere with the inspector in the discharge of the duties under this chapter;

(8) as the owner or keeper of a ~~[diseased]~~ colony of bees that has a reportable disease, a reportable pest, or an



1 unwanted species of bee, barter, gives away, sells, ships, or  
2 moves the ~~[diseased]~~ bees, equipment, pollen, or honey or exposes  
3 other bees to the reportable disease, reportable pest, or unwanted  
4 species of bee;

5 (9) exposes honey, pollen, hives, frames, combs, bees,  
6 or appliances from a colony of bees known to have a reportable  
7 disease, a reportable pest, or an unwanted species of bee ~~[be~~  
8 ~~diseased]~~ in a manner that provides access to other bees; ~~[or]~~

9 (10) sells, offers for sale, barter, gives away,  
10 ships, or distributes honey or pollen taken from a colony of  
11 ~~[diseased]~~ bees that has a reportable disease or a colony of bees  
12 that contains a reportable pest; or

13 (11) fails to register with the chief apiary inspector  
14 as required by Section 131.045.

15 SECTION 26. The heading to Section 131.122, Agriculture  
16 Code, is amended to read as follows:

17 Sec. 131.122. IDENTIFICATION ~~[APIARY EQUIPMENT BRANDS]~~.

18 SECTION 27. Section 131.122(a), Agriculture Code, is  
19 amended to read as follows:

20 (a) A person commits an offense if the person:

21 (1) violates Section 131.061 ~~[of this code]~~; or

22 (2) alters or attempts to alter a registered ~~[apiary~~  
23 ~~equipment]~~ brand without authorization from the chief apiary  
24 inspector.

25 SECTION 28. The following provisions of the Agriculture  
26 Code are repealed:

27 (1) Section 131.002(c);

- (2) Section 131.003(b);
- (3) Section 131.007(c);
- (4) Section 131.042;
- (5) Section 131.043; and
- (6) Section 131.063.

SECTION 29. The changes in law made by this Act to Sections 131.022, 131.023, 131.025, 131.041, 131.043, 131.061, 131.064, 131.121(a)(2), (3), (6), (8), (9), and (10), and 131.122, Agriculture Code, apply only to an offense committed on or after September 1, 2017. An offense committed before September 1, 2017, is governed by the law in effect on the date the offense was committed, and the former law is continued in effect for that purpose. For purposes of this section, an offense was committed before September 1, 2017, if any element of the offense occurred before that date.

SECTION 30. (a) Except as otherwise provided by Subsection (b) of this section, this Act takes effect September 1, 2017.

(b) Section 131.045, Agriculture Code, as amended by this Act, and Section 131.121(a)(11), Agriculture Code, as added by this Act, take effect September 1, 2018.