

1-1 By: Hall S.B. No. 677  
1-2 (In the Senate - Filed February 6, 2019; March 1, 2019, read  
1-3 first time and referred to Committee on Agriculture;  
1-4 March 14, 2019, reported adversely, with favorable Committee  
1-5 Substitute by the following vote: Yeas 4, Nays 0; March 14, 2019,  
1-6 sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8 Hall	X			
1-9 Rodríguez	X			
1-10 Hinojosa			X	
1-11 Perry	X			
1-12 Schwertner	X			
1-13				

1-14 COMMITTEE SUBSTITUTE FOR S.B. No. 677 By: Perry

1-15 A BILL TO BE ENTITLED  
1-16 AN ACT

1-17 relating to the regulation of beekeeping; imposing fees and  
1-18 authorizing other fees; expanding the applicability of an  
1-19 occupational permit.

1-20 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-21 SECTION 1. Section 131.001, Agriculture Code, is amended by  
1-22 amending Subdivisions (3), (5), and (6) and adding Subdivision  
1-23 (12-a) to read as follows:

1-24 (3) "Beekeeper" means a person who owns, leases,  
1-25 possesses, controls, or manages one or more colonies of bees for any  
1-26 [pollination or the production of honey, beeswax, or other  
1-27 by-products, either for] personal or commercial purpose [use].

1-28 (5) "Colony" means a distinguishable localized  
1-29 population of bees in which one or more life stages may be present  
1-30 [the hive and its equipment and appurtenances including bees, comb,  
1-31 honey, pollen, and brood].

1-32 (6) "Director" means the director of [the] Texas A&M  
1-33 AgriLife Research [Agricultural Experiment Station].

1-34 (12-a) "Package bees" means live bees in cages without  
1-35 combs or honey used in forming a new colony.

1-36 SECTION 2. Section 131.041, Agriculture Code, is amended to  
1-37 read as follows:

1-38 Sec. 131.041. PERMIT FOR INTERSTATE MOVEMENT  
1-39 [IMPORTATION]. (a) A person may not ship or cause to be shipped  
1-40 bees or equipment into or out of this state unless the person has a  
1-41 permit issued by the chief apiary inspector authorizing the  
1-42 shipment.

1-43 (b) A permit issued under this section applies to all  
1-44 shipments made by the beekeeper and expires on August 31 following  
1-45 the date the permit is issued. The term of a permit may not exceed  
1-46 one year.

1-47 (c) A person may apply for a permit under this section by  
1-48 filing an application with the inspector. A person may apply for a  
1-49 permit at any time, but a person must apply for a permit before the  
1-50 10th day preceding the date of a [the] shipment if the person does  
1-51 not hold a permit on the 10th day preceding the date of the  
1-52 shipment. An application for a permit must include all information  
1-53 required by the chief apiary inspector.

1-54 (d) A shipment originating outside this state requires:

1-55 (1) [a complete description of the shipment,  
1-56 [2) the destination of the shipment,  
1-57 [3) the approximate date of the shipment,  
1-58 [4) the names and addresses of the consigner and  
1-59 consignee; and  
1-60 [5) a certificate of inspection signed by the

2-1 official apiary inspector or entomologist of the state, territory,  
 2-2 or country from which the bees are to be shipped before the shipment  
 2-3 may enter the state; or

2-4 (2) an inspection of the shipment by the chief apiary  
 2-5 inspector of Texas not more than 12 months before the date of the  
 2-6 shipment.

2-7 (e) [~~c~~] A certificate of inspection for a permit  
 2-8 required by Subsection (d)(1) [~~(b)(5) of this section~~] must certify  
 2-9 that the bees or equipment are apparently free from disease based  
 2-10 on an actual inspection conducted not more than 12 months before the  
 2-11 date of the shipment. If the bees or equipment are to be shipped  
 2-12 into this state from a state, territory, or country that does not  
 2-13 have an official apiary inspector or entomologist:

2-14 (1) [~~r~~] the person shipping the bees or equipment may  
 2-15 provide other suitable evidence that the bees and equipment are  
 2-16 free from disease; or

2-17 (2) the bees may be shipped into this state under  
 2-18 quarantine and the person receiving the shipment shall have the  
 2-19 bees inspected not later than the 30th day after the date the bees  
 2-20 enter this state.

2-21 (f) [~~d~~] If a person files an application in accordance  
 2-22 with Subsection (c) [~~(b) of this section~~] and the inspector is  
 2-23 satisfied that the shipment or shipments to which the permit  
 2-24 applies do ~~does~~ not pose a threat to disease control in the  
 2-25 beekeeping industry, the inspector shall issue a permit  
 2-26 authorizing the shipment.

2-27 (g) [~~e~~] This section does not apply to a shipment of  
 2-28 package live bees [in wire cages without combs or honey].

2-29 (h) The inspector shall charge a fee for each permit issued  
 2-30 under this section. The inspector shall set the fee at an amount  
 2-31 that is reasonable in relation to the costs of administering this  
 2-32 section.

2-33 SECTION 3. Section [131.045](#), Agriculture Code, is amended to  
 2-34 read as follows:

2-35 Sec. 131.045. BEEKEEPER [APIARY] REGISTRATION. (a) Each  
 2-36 beekeeper in this state may register on an annual basis with the  
 2-37 [~~The~~] chief apiary inspector [may provide for the periodic  
 2-38 registration of all apiaries in this state]. A registration under  
 2-39 this section expires August 31.

2-40 (b) A registration must include:

2-41 (1) information required by the chief apiary  
 2-42 inspector [the beekeeper's name, address, and telephone number];  
 2-43 and

2-44 (2) the county or counties in which the beekeeper  
 2-45 operates [apiary will be located; and  
 2-46 [3) the approximate dates that the apiary will be  
 2-47 located in each county].

2-48 (c) The inspector may require a beekeeper to submit with the  
 2-49 registration information a map showing the exact location of each  
 2-50 of the beekeeper's apiaries. A map submitted under this section is  
 2-51 a trade secret under Chapter [552](#), Government Code, and may not be  
 2-52 disclosed.

2-53 (d) Except as provided by Subsection (e), the chief apiary  
 2-54 inspector may charge a fee for each registration issued under this  
 2-55 section. The inspector shall set the fee at an amount that is  
 2-56 reasonable in relation to the costs of administering this section.  
 2-57 The chief apiary inspector may establish separate registration  
 2-58 categories for purposes of setting and collecting fees under this  
 2-59 section.

2-60 (e) The chief apiary inspector may not charge a fee for a  
 2-61 registration made solely for the purpose of Section [1951.056](#),  
 2-62 Occupations Code.

2-63 SECTION 4. Section [131.046\(a\)](#), Agriculture Code, is amended  
 2-64 to read as follows:

2-65 (a) Fees collected under this subchapter shall be deposited  
 2-66 in the State Treasury [to the credit of a special fund to be known as  
 2-67 the bee disease control fund to be used only to defray the costs of  
 2-68 administering and enforcing this chapter].

2-69 SECTION 5. Section [131.121\(a\)](#), Agriculture Code, is amended

3-1 to read as follows:

3-2 (a) A person commits an offense if the person:

3-3 (1) violates a provision of Section 131.022 or 131.023

3-4 [~~of this code~~];

3-5 (2) fails to report diseased bees in accordance with

3-6 Section 131.025 [~~of this code~~];

3-7 (3) ships or causes bees or equipment to be shipped

3-8 into this state [~~or between counties in this state~~] without the

3-9 permit required by Section 131.041 [~~or 131.043 of this chapter~~];

3-10 (4) violates a rule, order, or quarantine of the chief

3-11 apiary inspector adopted under this chapter;

3-12 (5) prevents or attempts to prevent an inspection of

3-13 bees, equipment, pollen, or honey under the direction of the

3-14 inspector under this chapter;

3-15 (6) prevents or attempts to prevent the discovery or

3-16 treatment of diseased bees;

3-17 (7) interferes with or attempts to interfere with the

3-18 inspector in the discharge of the duties under this chapter;

3-19 (8) as the owner or keeper of a diseased colony of

3-20 bees, barters, gives away, sells, ships, or moves diseased bees,

3-21 equipment, pollen, or honey or exposes other bees to the disease;

3-22 (9) exposes honey, pollen, hives, frames, combs, bees,

3-23 or appliances known to be diseased in a manner that provides access

3-24 to bees; or

3-25 (10) sells, offers for sale, barters, gives away,

3-26 ships, or distributes honey or pollen taken from a colony of

3-27 diseased bees.

3-28 SECTION 6. The following provisions of the Agriculture Code  
3-29 are repealed:

3-30 (1) Section 131.042; and

3-31 (2) Section 131.043.

3-32 SECTION 7. The changes in law made by this Act apply only to  
3-33 an offense committed on or after the effective date of this Act. An  
3-34 offense committed before the effective date of this Act is governed  
3-35 by the law in effect on the date the offense was committed, and the  
3-36 former law is continued in effect for that purpose. For purposes of  
3-37 this section, an offense was committed before the effective date of  
3-38 this Act if any element of the offense occurred before that date.

3-39 SECTION 8. This Act takes effect September 1, 2019.

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