

By: Hardcastle, Seaman, Guillen
(Senate Sponsor - Jackson)

H.B. No. 1361

(In the Senate - Received from the House March 30, 2005;
April 5, 2005, read first time and referred to Committee on Natural
Resources; May 4, 2005, reported favorably by the following vote:
Yeas 9, Nays 0; May 4, 2005, sent to printer.)

A BILL TO BE ENTITLED
AN ACT

relating to the development of an animal identification program;
providing a criminal penalty.

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

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

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

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

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

(2) individual animal identification numbers; and

(3) group identification numbers.

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

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

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

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

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

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

(4) the secretary of the Department of Homeland
Security, for the purpose of homeland security;

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

(6) any person, under an order of a court of competent
jurisdiction;

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

(8) any person the executive director of the
commission considers appropriate, if the executive director
determines that:

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

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

(f) Notwithstanding Subsection (e), the commission shall
release information collected under this section if the release is

2-1 necessary for emergency management purposes under Chapter 418,
2-2 Government Code. The release of information under this subsection
2-3 does not alter the confidential status of the information.

2-4 (g) A person commits an offense if the person fails to
2-5 comply with an order or rule adopted under this section.

2-6 (h) An offense under Subsection (g) is a Class C misdemeanor
2-7 unless it is shown on the trial of the offense that the defendant
2-8 has been convicted previously under this section, in which case the
2-9 offense is a Class B misdemeanor.

2-10 (i) The commission may adopt rules necessary to implement
2-11 and enforce this section ~~[to establish a standard method for~~
2-12 ~~identifying and tracking exotic livestock and exotic fowl]~~.

2-13 SECTION 2. This Act takes effect September 1, 2005.

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