

BILL ANALYSIS

C.S.H.B. 4413
By: Guillen
Agriculture & Livestock
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Some constituents, including law enforcement, have raised concerns regarding livestock that get loose from an agricultural operation, as it may be difficult to identify the operation to which the livestock belong. This is because brands that are typically used to identify livestock can be similar, and in some cases indistinguishable, from other brands in the region. C.S.H.B. 4413 seeks to address these concerns by providing for the establishment of a task force to make recommendations for updating the process of brand registration and develop other recommendations to help expediate the process of returning livestock to the appropriate operation.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 4413 amends the Agriculture Code to require the Texas Animal Health Commission (TAHC) to establish the updated livestock brand registration task force to make recommendations for updating the process of brand registration before the upcoming brand registration renewals required in 2031. The task force is composed of the following:

- two representatives from the County and District Clerks Association of Texas;
- two representatives from county sheriff's departments;
- two representatives from the Texas and Southwestern Cattle Raisers Association;
- two representatives from the Independent Cattlemen's Association of Texas;
- two representatives from the Texas Sheep and Goat Raisers Association;
- two representatives from the Texas Pork Producers Association;
- two representatives from the Texas A&M AgriLife Extension Service; and
- two representatives from any other association or department that the TAHC determines necessary.

C.S.H.B. 4413 requires the task force to do the following:

- develop recommendations for the implementation of a digital registration method for livestock brands that is standard across all counties, uses a database that will standardize the format of information for all counties, and has other attributes of functionality that the task force identifies as useful;
- develop recommendations for a technology to identify livestock that would be standardized across Texas and:

- allows the information to be read wirelessly at a distance of at least 30 feet;
- interfaces with the statewide digital brand database;
- is easy to implement across all producers, including large scale and small scale producers;
- allows easy identification of the owners of estray livestock; and
- has other attributes of functionality that the task force identifies as useful;
- develop recommendations for updating statutory provisions relating to estrays that:
 - would simplify and speed the process of reuniting estray livestock with owners;
 - reduces the operational and financial burden placed on law enforcement and political subdivisions associated with estray livestock; and
 - has other attributes of functionality that the task force identifies as useful;
- develop recommendations for creating a digital guide of best practices for livestock owners, political subdivisions, and law enforcement agencies associated with estray livestock and livestock branding and identification; and
- establish other goals or recommendations the task force identifies as within its scope and worth pursuing or recommending.

C.S.H.B. 4413 authorizes the task force to solicit and accept gifts, grants, and donations from public and private entities to use for task force purposes. The bill requires the task force to prepare and submit reports based on the task force's recommendations to the governor, lieutenant governor, speaker of the house of representatives, and the chairs of the relevant legislative committees. The bill requires the task force to submit the following:

- a first interim report not later than December 1, 2024;
- a second interim report not later than December 1, 2026;
- a third interim report not later than December 1, 2028;
- a final interim report not later than December 1, 2030; and
- not later than December 1, 2032, a comprehensive report of the task force's analysis and findings after the implementation of the updated brand registration process following the brand renewal in 2031.

The provisions of C.S.H.B. 4413 expire January 1, 2033.

EFFECTIVE DATE

September 1, 2023.

COMPARISON OF INTRODUCED AND SUBSTITUTE

While C.S.H.B. 4413 may differ from the introduced in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

Whereas the introduced referred to the upcoming brand registration renewals required in 2032, the substitute instead refers to such renewals required in 2031.

The substitute differs from the introduced with respect to the task force's composition of representatives as follows:

- the substitute specifies two representatives from each of the following entities, whereas the introduced did not specify a specific number of representatives from these entities:
 - the County and District Clerks Association of Texas;
 - county sheriff's departments;
 - the Texas and Southwestern Cattle Raisers Association; and
 - any other association or department that the TAHC determines necessary; and
- the substitute includes two representatives from each of the following entities, whereas the introduced did not include representatives from these entities:
 - the Independent Cattlemen's Association of Texas;

- the Texas Sheep and Goat Raisers Association;
- the Texas Pork Producers Association; and
- the Texas A&M AgriLife Extension Service.

The substitute includes a provision absent in the introduced that authorizes the task force to solicit and accept gifts, grants, and donations from public and private entities to use for task force purposes.