

The Texas Animal Health Commission (commission) proposes the repeal of §40.6, concerning CWD Movement Restriction Zone, in Chapter 40, which is entitled “Chronic Wasting Disease”.

The commission is also proposing a new §40.6, concerning CWD Movement Restriction Zones, which replaces the repealed section in its entirety.

FISCAL NOTE

Ms. Larissa Schmidt, Director of Administration, Texas Animal Health Commission, has determined there will be no significant additional fiscal implications for state or local government as a result of repealing the rule.

PUBLIC BENEFIT NOTE

Ms. Schmidt has also determined that the public benefit anticipated as a result of repealing the rule will be that the proposed new section will create additional zones in the state which will place certain restrictions on areas where Chronic Wasting Disease (CWD) has been disclosed, in addition to enhancing surveillance efforts, thus protecting captive herds from the spread of CWD and maintaining their economic viability.

LOCAL EMPLOYMENT IMPACT STATEMENT

In accordance with the Texas Government Code §2001.022, this agency has determined that the proposed repeal will not impact local economies and, therefore, did not file a request for a local employment impact statement with the Texas Workforce Commission.

TAKINGS ASSESSMENT

The agency has determined that the proposed repeal will not affect private real property and is, therefore, compliant with the Private Real Property Preservation Act in Government Code, Chapter 2007.

REQUEST FOR COMMENT

Comments regarding the proposal may be submitted to Amanda Bernhard, Texas Animal Health Commission, 2105 Kramer Lane, Austin, Texas 78758, by fax at (512) 719-0719 or by email at “comments@tahc.texas.gov”.

STATUTORY AUTHORITY

The repeal is authorized by the Texas Agriculture Code §161.046, which provides the commission with authority to adopt rules relating to the protection of livestock, exotic livestock, domestic fowl or exotic fowl, as well as Texas Government Code §2001.039, which authorizes a state agency to repeal a rule.

No other statutes, articles or codes are affected by the proposal.