

CHAPTER 978

H.B. No. 2493

AN ACT

relating to the enforcement of seed inspection and labeling requirements.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Section 61.002(b), Agriculture Code, is amended to read as follows:

(b) The department may adopt rules as necessary for the efficient enforcement of this chapter. Before adopting rules under this chapter, the department shall[;

~~[(1) publish a description of the proposed action or the text of the proposed rules or amendments in three newspapers of general circulation throughout the state for three consecutive weeks; and~~

[(2)] conduct a public hearing on the proposed rule or amendment.

SECTION 2. Section 61.011(d), Agriculture Code, is amended to read as follows:

(d) Quarterly reports filed under Subsection (c)(2) of this section are due within 30 days after the last day of November, February, May, and August. Unless filed in accordance with prior written approval of the department for late filing, a person who does not file the report within the allotted time shall pay to the department a penalty *not to exceed \$25* [of \$10] or [an amount equal to] 10 percent of the amount of *the* fee due, whichever is greater.

SECTION 3. Section 61.002(d), Agriculture Code, is repealed.

SECTION 4. The change in law made by Section 2 of this Act applies only to a report under Section 61.011(d), Agriculture Code, as amended by this Act, that is due on or after the effective date of this Act.

SECTION 5. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

Passed by the House on April 23, 1993, by a non-record vote; passed by the Senate on May 19, 1993: Yeas 31, Nays 0.

Approved June 19, 1993.

Effective Aug. 30, 1993, 90 days after date of adjournment.