

CHAPTER 93

S.B. No. 231

AN ACT

relating to the inactive status of the Southern Rolling Plains Cotton Producers Board and certain other agricultural boards.

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

SECTION 1. Section 41.125, Agriculture Code, is amended to read as follows:

Sec. 41.125. INACTIVE STATUS. (a) The Texas Mohair Producers Board and the Texas Pork Producers Board are inactive as provided by Section 41.126 of this code until reactivated under Section 41.127 of this code. Neither board is abolished, and a referendum election under Subchapter C of this chapter is not required to reactivate either board.

(b) *The Southern Rolling Plains Cotton Producers Board is inactive as provided by Section 41.126 of this code until reactivated under Section 41.127 of this code. The board is not abolished, and a referendum election under Subchapter C of this chapter is not required to reactivate the board.*

SECTION 2. Section 41.126, Agriculture Code, is amended to read as follows:

Sec. 41.126. POWERS AND DUTIES. (a) A board listed in *Subsection (a) of Section 41.125* of this code may not exercise any powers under this chapter after the end of the board's 1989 fiscal year other than preparing and submitting the fiscal year 1989 report required by Subsection (c) of Section 41.059 of this code.

(b) *A board listed in Subsection (b) of Section 41.125 of this code may not exercise any powers under this chapter after the end of the board's 1993 fiscal year other than preparing and submitting the fiscal year 1993 report required by Subsection (c) of Section 41.059 of this code.*

(c) After submitting the [1989] report required by Subsection (a) or (b) of this section, the board may not conduct biennial elections under Section 41.032 of this code or submit the report required by Subsection (c) of Section 41.059 of this code.

(d) [(e)] The board may collect the assessment only during the fiscal year for which a report is required by Subsection (a) or (b) of this section [1989].

(e) [(d)] The board shall disburse funds as provided in the budget of the fiscal year for which a report is required by Subsection (a) or (b) of this section [1989]. Money of the board remaining on the first day after that fiscal year [1989] shall remain in the board's depository bank until the board is reactivated or the department by rule provides for the disposition of the funds.

(f) [(e)] Members of the board serving on the date the final report is submitted continue to serve until their successors are elected and qualify for office.

SECTION 3. Subsection (a), Section 41.127, Agriculture Code, is amended to read as follows:

(a) The commissioner shall order the reactivation of a board listed in *Subsection (a) or (b) of Section 41.125* of this code if:

(1) a majority of the members of the board petition the commissioner to reactivate the board and the commissioner determines that reactivation of the board is in the best interest of the producers subject to assessment by the board; or

(2) *for a board listed in Subsection (a) of Section 41.125 of this code*, a federal assessment is not assessed on mohair or pork, as applicable.

SECTION 4. 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 the Senate on March 3, 1993: Yeas 31, Nays 0; passed the House on April 23, 1993, by a non-record vote.

Approved May 6, 1993.

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