

## **BILL ANALYSIS**

C.S.H.B. 3340  
By: Swanson  
Judiciary & Civil Jurisprudence  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

State law allows for the appeal of a court's decision that a dog is dangerous. However, concerns have been raised that a dog can be destroyed before a person has time to appeal the decision. C.S.H.B. 3340 seeks to ensure that an owner whose dog is ordered to be destroyed is given time to file an appeal.

### **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. 3340 amends the Health and Safety Code to establish that any order to destroy a dangerous dog is stayed for a period of 10 calendar days from the date the order is issued, during which period the dog's owner may file a notice of appeal. The bill clarifies that a justice court is subject to the prohibition against a court ordering the destruction of a dangerous dog during the pendency of an appeal.

### **EFFECTIVE DATE**

September 1, 2021.

### **COMPARISON OF ORIGINAL AND SUBSTITUTE**

While C.S.H.B. 3340 may differ from the original in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The original authorized an owner of a dangerous dog to appeal a justice court's order to humanely destroy the dog to a county court or county court at law, whereas the substitute establishes that any order to destroy a dangerous dog is stayed for a period of 10 calendar days from the date the order is issued, during which period the dog's owner may file a notice of appeal.

The substitute clarifies that a justice court is subject to the prohibition against a court ordering the destruction of a dangerous dog during the pendency of an appeal, whereas the original did not include this clarification.