

BILL ANALYSIS

C.S.H.B. 3442
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Agriculture & Livestock
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Current law does not require that a veterinarian against whom an applicable complaint has been filed receive a copy of the complaint. C.S.H.B. 3442 seeks to address this issue by generally requiring the State Board of Veterinary Medical Examiners to provide a copy of each complaint to the license holder who is the complaint's subject.

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. 3442 amends the Occupations Code to require the State Board of Veterinary Medical Examiners (TBVME) to provide a copy of each complaint filed with the TBVME to the license holder who is the complaint's subject not later than the 14th day before the date any response is due, unless providing a copy of the complaint would jeopardize an investigation. The TBVME may not require the license holder to request a copy of the complaint.

C.S.H.B. 3442 requires the TBVME to provide to the complainant a copy of any response to the complaint the license holder provides not later than the 14th day after the date the TBVME receives the response, unless providing the copy would jeopardize an investigation or the act alleged in the complaint is not under TBVME jurisdiction. The bill requires the TBVME, if it provides a copy of a response to a complainant, to include with the copy notice of the complainant's opportunity to rebut the license holder's response. The bill establishes that, for a TBVME-initiated complaint, the TBVME is not required to provide a copy of the complaint to the license holder or a license holder's response to the complainant.

EFFECTIVE DATE

September 1, 2021.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 3442 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 substitute includes the following provisions:

- provisions relating to the provision by TBVME to a complainant of a copy of any response to the complaint the license holder provides; and
- a provision establishing that for a TBVME-initiated complaint the TBVME is not required to provide a copy of the complaint to the license holder or a license holder's response to the complainant.