

SUBJECT: Allowing animal control authorities to manage aggressive dogs in ETJs

COMMITTEE: Urban Affairs — committee substitute recommended

VOTE: 9 ayes — Cortez, Holland, Bernal, Campos, Gates, Jarvis Johnson, Minjarez, Morales Shaw, Slaton

0 nays

WITNESSES: For — Frank Archuleta (*Registered, but did not testify*: Tammy Embrey, City of Corpus Christi; Daniel Collins, County of El Paso)

Against — None

BACKGROUND: Concerns have been raised about the number of attacks on domestic animals and livestock by dangerous and aggressive dogs in the extraterritorial jurisdictions of cities, where animal control authorities often do not operate.

DIGEST: CSHB 100 would allow a municipal animal control authority to impound and manage dangerous and aggressive dogs in the municipality's extraterritorial jurisdiction (ETJ) if the authority received a notarized affidavit signed by at least two residents from different households in the ETJ requesting assistance from the authority and alleging that:

- dangerous or aggressive dogs have repeatedly attacked humans, domestic animals, or livestock within the ETJ; and
- due to the presence of these dogs, the ETJ is an unsafe environment for humans, domestic animals, or livestock.

For the purposes of the bill's provisions, an "aggressive dog" would mean a dog that made an unprovoked attack that caused bodily injury to a domestic animal or livestock and occurred in a place other than an enclosure reasonably secured to prevent the dog from leaving.

CSHB 100 would apply only in an ETJ in which no animal control

authority was authorized to operate or the operating animal control authority did not provide for the impoundment or management of dangerous or aggressive dogs.

The bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2021.