

## **BILL ANALYSIS**

Senate Research Center  
76R8035 SMH-D

H.B. 3446  
By: Swinford (Ogden)  
Natural Resources  
5/12/1999  
Engrossed

### **DIGEST**

Currently, the provisions of the Veterinary Licensing Act do not apply to corporations that practice veterinary medicine without a license because the term "person" is not interpreted to include corporations in this Act. Section 22 was added to the Veterinary Licensing Act in 1993 to prohibit the practice of veterinary medicine by a private for-profit corporation not exclusively owned by licensed veterinarians. In February 1998, the Texas Board of Veterinary Medical Examiners sought clarification of its authority regarding corporations. This bill would specifically prohibit corporations not owned exclusively by one or more licensed veterinarians from practicing, offering, or attempting to practice veterinary medicine.

### **PURPOSE**

As proposed, H.B. 3446 prohibits corporations not owned exclusively by one or more licensed veterinarians from practicing, offering, or attempting to practice veterinary medicine.

### **RULEMAKING AUTHORITY**

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Sections 4 and 13B, Article 8890, V.T.C.S. (The Veterinary Licensing Act), as follows:

Sec. 4. Prohibits a corporation, organization, business trust, estate, trust, partnership, association, or other legal entity not owned exclusively by one or more veterinarians licensed by the Texas Board of Veterinary Medical Examiners from practicing or offering or attempting to practice veterinary medicine in this state. Makes conforming changes.

Sec. 13B. Makes a conforming change.

SECTION 2. Amends Section 14(d), Article 8890, V.T.C.S., to make a conforming change.

SECTION 3. Amends Section 14B(a), Article 8890, V.T.C.S., to make a conforming change.

SECTION 4. Amends Section 17, Article 8890, V.T.C.S., to provide that the venue for an injunction proceeding is in the county of the defendant's principal office in this state if the defendant is not a natural person. Makes conforming changes.

SECTION 5. Provides that it is the intent of the legislature to clarify and reiterate the law in effect before the enactment of this Act.

SECTION 6. Emergency clause.  
Effective date: upon passage.