

BILL ANALYSIS

Senate Research Center
78R2804 JRD-D

S.B. 1086
By: Staples
Health & Human Services
3/24/2003
As Filed

DIGEST AND PURPOSE

For many years, small municipalities that provide impoundment services under local ordinances have commonly operated under an exemption in the Texas Health and Safety Code to maintain their impoundment facilities. Current law mentions animal impoundments in Chapters 823 and 826, Health and Safety Code. Chapter 823 is inapplicable in counties with a population of less than 75,000 while Chapter 826 does not have a population bracket. The Texas Department of Health recently passed rules that change the way impoundment facilities are regulated for all cities in the state of Texas. Smaller counties that were once exempted from some of the provisions are now forced to budget for expensive and cost-prohibitive measures. As proposed, S.B. 1086 amends Chapter 826 so that cities and counties with populations less than 75,000 may continue to provide impoundment services and animal control.

RULEMAKING AUTHORITY

Rulemaking authority previously granted to the Texas Board of Health is modified in SECTION 1 (Section 826.051, Health and Safety Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 826.051(b), Health and Safety Code, to provide that the standards adopted by the Texas Board of Health under this subsection do not apply to an impoundment facility operated by a municipality the majority of the territory of which is located in a county with a population of less than 75,000.

SECTION 2. Effective date: upon passage or September 1, 2003.