

## **BILL ANALYSIS**

Senate Research Center  
81R10365 BEF-F

H.B. 2042  
By: Flynn (Deuell)  
Agriculture & Rural Affairs  
4/27/2009  
Engrossed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Estray laws require a sheriff who is notified of stray livestock to impound the estray when the owner is unknown or if, when notified by a sheriff, the owner fails to remove the estray within a reasonable amount of time.

Upon impoundment, a sheriff must post notice of the estray on the public notice board at the courthouse and also advertise the impoundment at least twice in a newspaper of general circulation within 15 days of impoundment. Depending on the newspaper and the size of the notice, advertising the estray may cost anywhere between \$150 to \$250. When combined with other costs, including the hauling, feeding, and boarding the animal, estrays become an expensive endeavor for a sheriff department. H.B. 2042 seeks to reduce estray costs by offering an alternative to current notice requirements.

H.B. 2042 amends current law relating to the notice requirements following impoundment of an estray.

### **RULEMAKING AUTHORITY**

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

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 142.009(d), Agriculture Code, as follows:

(d) Requires the sheriff, if the search for the identity of the owner of the estray does not reveal the owner, to post a notice of the impoundment of the estray on the public notice board of the courthouse and advertise the impoundment of the estray in a newspaper of general circulation in the county at least twice during the 15 days after the date of impoundment or on the county's Internet website for at least 15 days after the impoundment. Makes nonsubstantive changes.

SECTION 2. Effective date: upon passage or September 1, 2009.