

BILL ANALYSIS

Senate Research Center
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C.S.S.B. 1781
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Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

According to The Texas Humane Legislation Network, an estimated 700,000 animals are euthanized each year in animal control facilities in Texas.

C.S.S.B. 1781 aims to maximize shelter space by requiring shelters located in a county with a population of more than 1.5 million that contains a municipality in which at least 75 percent of the county's population resides or a county that borders the United Mexican States and the Gulf of Mexico to use all available kennel space where they can safely house a companion animal instead of euthanizing.

C.S.S.B. 1781 places restrictions on where a shelter can house an animal. It does not allow a shelter to place an animal in an area designated as a "pet get acquainted area," which is an area where a potential adopter would meet his or her new pet.

The bill does not require a shelter to group unfamiliar animals together before they have gone through a health and behavioral assessment. It also does not require a shelter to group animals together who have not been socialized to other animals.

It also does not allow a shelter to house animals in an area restricted to the public, such as areas where sick or injured animals are kept while receiving veterinary care. C.S.S.B. 1781 also does not require shelter to group more than six dogs or 12 cats together, in order to ensure that animals have adequate living space.

A shelter can euthanize an animal under any of the following conditions: (1) an animal suspected of carrying rabies as determined by a veterinarian, (2) a dog that has injured a person, (3) an animal who has a poor or grave prognosis for being able to live without severe, unremitting pain even with comprehensive, prompt, and necessary veterinary care, as determined by a licensed veterinarian, and (4) if there no is space to safely shelter an animal.

This policy only affects shelters, not private citizens.

C.S.S.B. 1781 amends current law relating to the euthanasia of animals in animal shelters located in certain counties.

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 Subchapter C, Chapter 821, Health and Safety Code, by adding Section 821.0521, as follows:

Sec. 821.0521. EUTHANASIA OF CERTAIN ANIMALS PROHIBITED. (a) Provides that this section applies only to a county:

(1) with a population of more than 1.5 million that contains a municipality in which at least 75 percent of the county's population resides; or

(2) that borders the United Mexican States and the Gulf of Mexico.

(b) Prohibits a person from euthanizing a dog, cat, or other animal in the custody of an animal shelter if the animal could safely be placed:

(1) in an empty cage, kennel, or other living environment in the animal shelter; or

(2) in a shared cage, kennel, or other living environment intended for animal habitation in the animal shelter with another animal of the same species.

(c) Provides that a cage, kennel, or other living environment described by Subsection (b)(1) or (2) does not include a cage, kennel, or other living environment in an animal shelter that is:

(1) designated as an area where a person may get acquainted with an animal; or

(2) usually restricted to the public because sick or injured animals or animals that are receiving veterinary care are kept in the area.

(d) Provides that Subsection (b) does not apply to:

(1) an animal that is suspected of carrying and is otherwise exhibiting signs of rabies or another highly communicable disease as determined by a licensed veterinarian;

(2) a dog that a court has determined to be a dangerous dog under Subchapter D (Dangerous Dogs), Chapter 822 (Regulation of Animals);

(3) a dog that has bitten a person severely enough that the person suffered an injury requiring medical attention;

(4) a dog that has bitten a cat or another dog, causing serious injury or death to the other animal;

(5) a dog that a certified animal behaviorist or shelter staff has determined is a threat to human safety; or

(6) an animal that has a poor or grave prognosis for being able to live without severe, unremitting pain, even with comprehensive, prompt, and necessary veterinary care, as determined by a licensed veterinarian.

(e) Provides that this section does not require a person who is an agent of an animal shelter to:

(1) group unrelated or unfamiliar animals together in a cage, kennel, or other living environment before a health and behavioral evaluation has been performed by an appropriate staff member and the grouping has been determined to be appropriate;

(2) group animals together who are not socialized to other animals and actively bully other animals;

(3) group more than six dogs together in a cage, kennel, or other living environment, unless:

(A) a health or behavioral examination has been performed on each dog by an appropriate staff member and the grouping has been determined to be appropriate;

(B) there is adequate space to allow the dogs to express a variety of normal behavior; and

(C) the dogs are provided sufficient resources to prevent competition between dogs or resource guarding by the dogs; or

(4) group more than 12 cats together in a cage, kennel, or other living environment, unless:

(A) a health or behavioral examination has been performed on each cat by an appropriate staff member and the grouping has been determined to be appropriate;

(B) there is adequate space to allow the cats to express a variety of normal behavior; and

(C) the cats are provided sufficient resources to prevent competition between cats or resource guarding by the cats.

(f) Provides that this section does not prohibit a person who is an agent of an animal shelter from euthanizing an animal to make a cage or kennel space available for an additional animal, if the additional animal is expected to arrive at the animal shelter within a reasonable period of time.

SECTION 2. Effective date: September 1, 2015.