

By: Bernal

H.B. No. 4909

A BILL TO BE ENTITLED

AN ACT

relating to the reporting method in determining that a dog is dangerous.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Sec. 822.0421, Health and Safety Code, is amended to read as follows:

(a) If a person reports an incident described by Section 822.041(2), the animal control authority may investigate the incident. If, after receiving the sworn statements of any witnesses, or observing and documenting aggressive behavior by the dog, the animal control authority determines the dog is a dangerous dog, the animal control authority shall notify the owner in writing of the determination.

(b) An affidavit used to secure a sworn statement from a witness under 822.0421(a) shall include an option for the witness to have their personal information excepted from disclosure pursuant to Chapter 552.101 of the Government Code.

(c) Notwithstanding any other law, including a municipal ordinance, an owner, not later than the 15th day after the date the owner is notified that a dog owned by the owner is a dangerous dog, may appeal the determination of the animal control authority to a justice, county, or municipal court of competent jurisdiction.

(d) To file an appeal under Subsection (b), the owner must:

(1) file a notice of appeal of the animal control

1 authority's dangerous dog determination with the court;

2 (2) attach a copy of the determination from the animal
3 control authority; and

4 (3) serve a copy of the notice of appeal on the animal
5 control authority by mailing the notice through the United States
6 Postal Service.

7 (e) An owner may appeal the decision of the justice or
8 municipal court under Subsection (b) in the manner described by
9 Section [822.0424](#).

10 SECTION 2. This act takes effect September 1, 2023.