

By: Lujan, LaHood, Campos, Lopez of Bexar,  
Gervin-Hawkins, et al.

H.B. No. 2806

Substitute the following for H.B. No. 2806:

By: VanDeaver

C.S.H.B. No. 2806

A BILL TO BE ENTITLED

AN ACT

relating to an attack by a dangerous dog; increasing a criminal  
penalty.

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

SECTION 1. This Act may be cited as the Roman Najera Act.

SECTION 2. Section [822.0421](#), Health and Safety Code, is  
amended by amending Subsection (a) and adding Subsection (e) 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 the animal control authority investigates the  
incident by observing and documenting the behavior of the dog or by  
examining [If, after receiving] the sworn statements of any  
witnesses, the animal control authority:

(1) may determine [determines] the dog is a dangerous  
dog; and

(2) for a dog the animal control authority determines  
is a dangerous dog, [the animal control authority] shall notify the  
owner in writing of the determination.

(e) In this subsection, "identifying information" has the  
meaning assigned by Section [32.51](#), Penal Code. The identifying  
information of a witness who gives a sworn statement under  
Subsection (a):

(1) is confidential and not subject to disclosure

1 under Chapter 552, Government Code; and

2 (2) may be disclosed only for purposes of enforcing  
3 this chapter to the governing body of the municipality or county in  
4 which the incident occurred, as applicable, and any other  
5 governmental or law enforcement agency.

6 SECTION 3. Subchapter D, Chapter 822, Health and Safety  
7 Code, is amended by adding Section 822.04215 to read as follows:

8 Sec. 822.04215. DANGEROUS DOG DETERMINATION IN CERTAIN  
9 MUNICIPALITIES. (a) This section applies only to a municipality  
10 containing more than 70 percent of the population of a county with a  
11 population of 1.5 million or more.

12 (b) Notwithstanding Section 822.0421(a), if a person  
13 reports an incident described by Section 822.041(2)(A) or (B), the  
14 animal control authority may investigate the incident. If after  
15 reviewing the sworn statements of any witness or reviewing any  
16 other applicable reports or information the animal control  
17 authority determines the dog is a dangerous dog, the animal control  
18 authority shall notify the owner in writing of the determination.

19 SECTION 4. Section 822.044, Health and Safety Code, is  
20 amended by amending Subsection (b) and adding Subsection (b-1) to  
21 read as follows:

22 (b) Except as provided by Subsection (b-1), an [An] offense  
23 under this section is a Class C misdemeanor.

24 (b-1) An offense under this section is a Class B misdemeanor  
25 if it is shown on trial of the offense that the defendant has been  
26 previously convicted of an offense under this section.

27 SECTION 5. (a) Section 822.0421(a), Health and Safety

1 Code, as amended by this Act, applies only to a determination based  
2 on an incident that occurred on or after the effective date of this  
3 Act. An incident that occurred before the effective date of this  
4 Act is governed by the law in effect on the date the incident  
5 occurred, and the former law is continued in effect for that  
6 purpose.

7 (b) Section 822.0421(e), Health and Safety Code, as added by  
8 this Act, applies to information contained in a sworn statement  
9 released on or after the effective date of this Act, regardless of  
10 whether the sworn statement was made before, on, or after that date.

11 SECTION 6. Section 822.04215, Health and Safety Code, as  
12 added by this Act, applies only to a determination based on an  
13 incident that occurred on or after the effective date of this Act.  
14 An incident that occurred before the effective date of this Act is  
15 governed by the law in effect on the date the incident occurred, and  
16 the former law is continued in effect for that purpose.

17 SECTION 7. The changes in law made by this Act to Section  
18 822.044, Health and Safety Code, as amended by this Act, apply only  
19 to an offense committed on or after the effective date of this Act.  
20 An offense committed before the effective date of this Act is  
21 governed by the law in effect on the date the offense was committed,  
22 and the former law is continued in effect for that purpose. For  
23 purposes of this section, an offense was committed before the  
24 effective date of this Act if any element of the offense occurred  
25 before that date.

26 SECTION 8. This Act takes effect September 1, 2025.