

BILL ANALYSIS

Senate Research Center
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C.S.S.B. 248
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Health and Human Services
3/16/2005
Committee Report (Substituted)

AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

Currently, releasing agencies can only use surgical methods to sterilize animals in shelters; however, veterinarians in private practice can use both surgical and nonsurgical methods to sterilize animals. Allowing releasing agencies to use non-surgical sterilization could help increase the number of sterilizations conducted by releasing agencies and result in fewer animals being euthanized each year in Texas. C.S.S.B. 248 allows a releasing agency's veterinarian to determine whether to use surgical or non-surgical sterilization methods, as veterinarians in private practice are able to do.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the State Board of Veterinary Medical Examiners in SECTION 2 (Section 828.0035, Health and Safety Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 828.001(3), Health and Safety Code, to redefine "sterilization."

SECTION 2. Amends Chapter 828, Health and Safety Code, by adding Section 828.0035, as follows:

Sec. 828.0035. STATE BOARD OF VETERINARY MEDICAL EXAMINERS. Requires the State Board of Veterinary Medical Examiners (board) to develop information sheets regarding surgical or nonsurgical sterilization to be distributed by a releasing agency to a new owner and to adopt rules requiring an animal sterilized under this chapter to receive an identification marker in a manner authorized by the board.

SECTION 3. Amends Section 828.004(c), Health and Safety Code, to authorize a releasing agency to extend the deadline for 30 days on the presentation of a written report from a licensed veterinarian stating that the life or health of the adopted animal may be jeopardized by sterilization, rather than by surgery.

SECTION 4. Amends Chapter 828, Health and Safety Code, by adding Section 828.0045, as follows:

Sec. 828.0045. NONSURGICAL STERILIZATION. Authorizes a veterinarian to use nonsurgical methods and technologies approved by the U.S. Food and Drug Administration or the U.S. Department of Agriculture to humanely and permanently render a dog or cat unable to reproduce.

SECTION 5. Amends Section 828.005(a), Health and Safety Code, to require certain new owners to deliver a letter signed by the veterinarian who performed the sterilization, rather than the surgery, to the releasing agency from which the animal was adopted.

SECTION 6. Amends Section 828.012, Health and Safety Code, by amending Subsection (a) and adding Subsection (c), as follows:

(a) Includes that nonsurgical sterilization performed in accordance with this chapter must be performed by certain veterinarians or veterinary students.

(c) Prohibits an individual associated with a releasing agency from interfering with the independent professional judgment of a veterinarian employed by or under contract with the releasing agency.

SECTION 7. Requires the board to adopt rules as required by Section 828.0035, Health and Safety Code, as added by this Act, not later than January 1, 2006.

SECTION 8. Effective date: upon passage or September 1, 2005.