

BILL ANALYSIS

C.S.H.B. 1728
By: Harper-Brown
Agriculture & Livestock
Committee Report (Substituted)

BACKGROUND AND PURPOSE

In the 76th Legislative Session (1999), the legislature added statutes to the Health & Safety Code to limit disclosure of certain information contained in a rabies vaccination certificate or in a municipal or county registry of dogs and cats. The restriction allowed that information to be disclosed only to a governmental entity for purposes related to the protection of public health and safety.

Numerous municipalities and counties find it more efficient and more economical to hire third party vendors to provide animal control services and animal registration services for those governmental entities and those third party vendors who need the rabies vaccination and pet registration information to perform their duties under their contracts with those municipalities and counties. In 2005, the Texas Attorney General Ruled in Opinion No. GA-0367 that municipalities and counties could not disclose to third party vendors the information contained in rabies vaccination certificates or in municipal or county registries of dogs and cats since third party vendors are not "governmental entities".

C.S.H.B. 1728 is aimed at allowing governmental entities to contract with a third party vendor when providing animal registration services for that entity.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

The bill amends the Health and Safety Code to authorize that information contained in rabies vaccination certificates and in municipal and county registries of dogs and cats be disclosed to a person under contract with a governmental entity that provides animal control services or animal registration services for the governmental entity.

The bill provides that the information contained in the certificate or record is not authorized to include the social security number or driver's license number of the owner of the registered animal.

EFFECTIVE DATE

Upon passage, or, if the Act does not receive the necessary vote, the Act takes effect September 1, 2007.

COMPARISON OF ORIGINAL TO SUBSTITUTE

The committee substitute adds language to amend the Health and Safety Code to provide that the information contained in the certificate or record is not authorized to include the social security number or the driver's license number of the owner of the vaccinated animal.