

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

May 26, 2007

TO: Honorable David Dewhurst , Lieutenant Governor, Senate
Honorable Tom Craddick, Speaker of the House, House of Representatives

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: SB1562 by Hinojosa (Relating to treatment of certain animals and training for animal control officers; creating an offense.), **Conference Committee Report**

No significant fiscal implication to the State is anticipated.

The bill would amend the Health and Safety Code, Occupations Code, and the Penal Code as it relates to the treatment of certain animals and training for animal control officers and creates an offense. The bill would allow the Department of State Health Services (DSHS) and any authorized animal control course sponsor to charge a reasonable fee to cover the cost of arranging and conducting an animal control course. The bill would also allow the department or the department's designee to charge a reasonable fee to cover the cost of issuing certificates.

Section 4 of the bill would amend the Occupations Code to exempt animal shelter employees who perform euthanasia if the person completes training as prescribed by section 1 of the bill.

Section 5 of the bill would amend the Penal Code as it relates to categories of offenses associated with injuring or killing a police service animal or engaging in conduct likely to injure a police service animal. These changes in law would apply only to an offense committed on or after the effective date of this Act.

Section 6 of the bill would repeal Section 823.004, Health and Safety Code, effective July 1, 2008, which relates to personnel training for animal shelter personnel.

The department anticipates costs associated with implementing the provisions of the bill; however, this cost estimate assumes that these tasks could be accomplished within existing resources. Additionally, the Comptroller of Public Accounts estimates that the department would set fees to at least cover the revenue loss from the repeal of the old program, and that the bill would have no significant fiscal impact on revenues.

Not later than December 1, 2007, DSHS would be required to prescribe standards and curriculum to be used in an animal control course required under section 1 of the bill. The bill would take effect September 1, 2007, except for the following sections which would take effect July 1, 2008: 829.002 (training requirements) and 829.009 (civil remedy), Health and Safety Code, as added by this bill.

Local Government Impact

Costs to local entities would depend upon the fees charged by the Department of State Health Services for the mandated training and the number of animal control employees sent by a county or municipality to the mandated training.

Source Agencies: 304 Comptroller of Public Accounts, 537 State Health Services, Department of

LBB Staff: JOB, MN, WK, CL, PP, SJ, KJG