

BILL ANALYSIS

C.S.H.B. 458
By: Leibowitz
County Affairs
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Currently, county governments do not have the authority to limit the number of dogs in a residential home in the unincorporated area of a county. As unincorporated areas of urban counties have developed, problems have arisen with homes in subdivisions keeping up to two dozen dogs in one residence. There have been several instances where children playing in their yards and walking to and from the school bus and senior citizens walking in their neighborhood have been attacked by dogs. Bexar County has requested some assistance in enacting laws to help curb this growing problem.

C.S.H.B. 458 authorizes the commissioners court of a county with a population of one million or more to limit the number of dogs that an individual may keep at a residence located in a residential subdivision in the unincorporated area of the county. The bill makes its provisions inapplicable to a residence used by a registered animal rescue group located in a neighborhood that does not have an animal shelter.

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

C.S.H.B. 458 amends the Local Government Code to authorize the commissioners court of a county with a population of one million or more to limit by order the number of dogs that an individual may keep at a residence located in a residential subdivision in the unincorporated area of the county. The bill defines "residential subdivision." The bill establishes that such an order does not apply to a residence used by a registered animal rescue group on a determination by the commissioners court that the neighborhood in which the residence is located does not operate an animal shelter.

EFFECTIVE DATE

On passage, or, if the act does not receive the necessary vote, the act takes effect September 1, 2009.

COMPARISON OF ORIGINAL AND SUBSTITUTE

C.S.H.B. 458 adds a provision not in the original, establishing that the county order limiting the number of dogs an individual may keep does not apply to a residence used by a registered animal rescue group located in a neighborhood without an animal shelter.