

## **BILL ANALYSIS**

H.B. 3713  
By: Bolton  
County Affairs  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Current law allows personnel of a humane society or animal control agency to possess denatured sodium pentobarbital for the purpose of humanely euthanizing injured, sick, homeless, or unwanted animals if the humane society or animal control agency is registered with the federal Drug Enforcement Administration. If an animal is too ill or injured for intravenous or intraperitoneal injection, the sodium pentobarbital must be administered via intracardiac injection.

Department of State Health Services (DSHS) rules, Section 169.83, TAC, Allowable Methods of Euthanasia, currently require that intracardiac injection may not be used unless an animal is heavily sedated, unconscious, or anesthetized. The two drugs recommended to heavily sedate, anesthetize, or render an animal unconscious are Telazol and Ketamine. While secure possession of these drugs was legal for humane societies and animal control agencies prior to 1999, recent rescheduling has made them illegal for animal welfare agencies to purchase or possess.

H.B. 3713 reconciles state statute and DSHS rules by allowing personnel of a humane society or animal control agency to securely and legally possess Telazol and Ketamine, enabling such personnel to comply with existing rules and render an animal heavily sedated, unconscious, or anesthetized prior to administering sodium pentobarbital via intracardiac injection.

### **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**

H.B. 3713 amends the Health and Safety Code to include Telazol and Ketamine among items the Texas Controlled Substances Act does not apply to in certain situations. The bill provides that that act does not apply to possession of these substances by personnel of a humane society or animal control agency for the purposes of tranquilizing or sedating, in addition to destroying, certain animals if the humane society or animal control agency is registered with the federal Drug Enforcement Administration (DEA). The bill provides that the provisions of the act relating to the distribution of Telazol or Ketamine, in addition to denatured sodium pentobarbital, do not apply to a person registered under the act who is distributing the substance for that purpose to a humane society or animal control agency registered with the DEA.

### **EFFECTIVE DATE**

September 1, 2009.