

BILL ANALYSIS

Senate Research Center
81R9858 TRH-D

S.B. 1851
By: Deuell
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Estray laws require a sheriff who is notified of stray livestock to impound the estray when the owner is unknown or if, when notified by a sheriff, the owner fails to remove the estray within a reasonable amount of time.

Upon impoundment, a sheriff must post notice of the estray on the public notice board at the courthouse and also advertise the impoundment at least twice in a newspaper of general circulation within 15 days of impoundment. Depending on the newspaper and the size of the notice, advertising the estray may cost anywhere between \$150 to \$250. When combined with other costs, including the hauling, feeding, and boarding the animal, estrays become an expensive endeavor for a sheriff department. S.B. 1851 seeks to reduce estray costs by offering an alternative to current notice requirements.

As proposed, S.B. 1851 requires the sheriff to post a notice of the impoundment on the Internet website of the county in which the estray is impounded and of the sheriff's department of the county in which the estray is impounded, if the sheriff's department maintains a separate Internet website.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 142.009(d), Agriculture Code, as follows:

(d) Requires the sheriff, if the search for the identity of the owner of the estray does not reveal the owner, to post a notice of impoundment on the public notice board of the courthouse and post a notice of the impoundment on the Internet website of the county in which the estray is impounded, and the sheriff's department of the county in which the estray is impounded, if the sheriff's department maintains a separate Internet website. Makes nonsubstantive changes.

SECTION 2. Effective date: September 1, 2009.