

1-1 By: Flynn (Senate Sponsor - Deuell) H.B. No. 2042  
1-2 (In the Senate - Received from the House April 23, 2009;  
1-3 April 24, 2009, read first time and referred to Committee on  
1-4 Agriculture and Rural Affairs; May 4, 2009, reported favorably by  
1-5 the following vote: Yeas 5, Nays 0; May 4, 2009, sent to printer.)

1-6 A BILL TO BE ENTITLED  
1-7 AN ACT

1-8 relating to the notice requirements following impoundment of an  
1-9 estray.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Section 142.009(d), Agriculture Code, is amended  
1-12 to read as follows:

1-13 (d) If the owner of the estray is unknown, the sheriff or the  
1-14 sheriff's designee shall make a diligent search for the identity of  
1-15 the owner of the estray, including a search in the county register  
1-16 of recorded brands, if the animal has an identifiable brand. If the  
1-17 search does not reveal the owner, the sheriff shall post a notice of  
1-18 the impoundment of the estray on the public notice board of the  
1-19 courthouse and advertise the impoundment of the estray:

1-20 (1) in a newspaper of general circulation in the  
1-21 county at least twice during the 15 days after the date of  
1-22 impoundment; or

1-23 (2) on the county's Internet website for at least 15  
1-24 days after the date of impoundment [~~and shall post a notice of the~~  
1-25 ~~impoundment on the public notice board of the courthouse].~~

1-26 SECTION 2. This Act takes effect immediately if it receives  
1-27 a vote of two-thirds of all the members elected to each house, as  
1-28 provided by Section 39, Article III, Texas Constitution. If this  
1-29 Act does not receive the vote necessary for immediate effect, this  
1-30 Act takes effect September 1, 2009.

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