

By: Zaffirini

S.B. No. 1806

A BILL TO BE ENTITLED

AN ACT

relating to liens for certain veterinary care charges for large animals.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter A, Chapter 70, Property Code, is amended by adding Section 70.010 to read as follows:

Sec. 70.010. LIENS FOR VETERINARY CARE CHARGES FOR LARGE ANIMALS. (a) In this section, "large animal" means exotic livestock or a cow, horse, mule, ass, sheep, goat, llama, alpaca, farm elk, or hog. The term does not include a common household pet such as a cat or dog.

(b) A veterinarian licensed under Chapter 801, Occupations Code, has a lien on a large animal and the proceeds from the disposition of the large animal to secure the cost of veterinary care the veterinarian provided to the large animal.

(c) A lien under this section:

(1) attaches on the 20th day after the date the veterinarian first provides care to the large animal;

(2) attaches regardless of whether the veterinarian retains possession of the large animal;

(3) takes priority over all other liens on the large animal for the period during which the veterinarian retains possession of the large animal, regardless of whether the lien under this section was created or perfected after the date on which

1 another lien was created or perfected, if the veterinarian retains  
2 possession; and

3 (4) has the priority with respect to other liens as  
4 provided by Subchapter C, Chapter 9, Business & Commerce Code, if  
5 the veterinarian does not retain possession.

6 (d) The veterinarian may retain possession of a large animal  
7 under this section and enforce a lien under this section as provided  
8 by Section 70.005(c).

9 (e) A veterinarian who does not retain possession of a large  
10 animal under this section may enforce a lien under this section in  
11 the same manner as a statutory residential landlord's lien.

12 SECTION 2. Section 70.010, Property Code, as added by this  
13 Act, applies only to an amount that becomes due to a veterinarian on  
14 or after the effective date of this Act. An amount that becomes due  
15 to a veterinarian before the effective date of this Act is governed  
16 by the law as it existed immediately before the effective date of  
17 this Act, and that law is continued in effect for that purpose.

18 SECTION 3. This Act takes effect September 1, 2009.