

1-1 By: Zaffirini S.B. No. 1806  
1-2 (In the Senate - Filed March 11, 2009; March 20, 2009, read  
1-3 first time and referred to Committee on Agriculture and Rural  
1-4 Affairs; April 20, 2009, reported adversely, with favorable  
1-5 Committee Substitute by the following vote: Yeas 5, Nays 0;  
1-6 April 20, 2009, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 1806 By: Hinojosa

1-8 A BILL TO BE ENTITLED  
1-9 AN ACT

1-10 relating to liens for certain veterinary care charges for large  
1-11 animals.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Subchapter A, Chapter 70, Property Code, is  
1-14 amended by adding Section 70.010 to read as follows:

1-15 Sec. 70.010. LIENS FOR VETERINARY CARE CHARGES FOR LARGE  
1-16 ANIMALS. (a) In this section, "large animal" means exotic  
1-17 livestock or a cow, horse, mule, ass, sheep, goat, llama, alpaca,  
1-18 farm elk, or hog. The term does not include a common household pet  
1-19 such as a cat or dog.

1-20 (b) A veterinarian licensed under Chapter 801, Occupations  
1-21 Code, has a lien on a large animal and the proceeds from the  
1-22 disposition of the large animal to secure the cost of veterinary  
1-23 care the veterinarian provided to the large animal.

1-24 (c) A lien under this section:

1-25 (1) attaches on the 20th day after the date the  
1-26 veterinarian first provides care to the large animal;

1-27 (2) attaches regardless of whether the veterinarian  
1-28 retains possession of the large animal;

1-29 (3) takes priority over all other liens on the large  
1-30 animal for the period during which the veterinarian retains  
1-31 possession of the large animal, regardless of whether the lien  
1-32 under this section was created or perfected after the date on which  
1-33 another lien was created or perfected, if the veterinarian retains  
1-34 possession; and

1-35 (4) has the priority with respect to other liens as  
1-36 provided by Subchapter C, Chapter 9, Business & Commerce Code, if  
1-37 the veterinarian does not retain possession.

1-38 (d) The veterinarian may retain possession of a large animal  
1-39 under this section and enforce a lien under this section as provided  
1-40 by Section 70.005(c).

1-41 (e) A veterinarian who does not retain possession of a large  
1-42 animal under this section may enforce a lien under this section in  
1-43 the same manner as a statutory residential landlord's lien.

1-44 SECTION 2. Section 70.010, Property Code, as added by this  
1-45 Act, applies only to an amount that becomes due to a veterinarian on  
1-46 or after the effective date of this Act. An amount that becomes due  
1-47 to a veterinarian before the effective date of this Act is governed  
1-48 by the law as it existed immediately before the effective date of  
1-49 this Act, and that law is continued in effect for that purpose.

1-50 SECTION 3. This Act takes effect September 1, 2009.

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