

BILL ANALYSIS

C.S.S.B. 958
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Culture, Recreation & Tourism
Committee Report (Substituted)

BACKGROUND AND PURPOSE

The legislature has in the past enacted legislation to regulate dangerous wild animals and to ensure public safety. Interested parties note that animal sanctuaries typically operate under the classification of animal shelters. The parties assert, however, that an animal sanctuary is not, in fact, an animal shelter because the term animal shelter suggests a temporary animal holding and rehabilitation facility rather than a facility that provides long-term housing and care. Observers express concern that, under this reasoning, an accredited animal sanctuary is not permitted to house a dangerous wild animal in a county that has not established a process for registering the animals. The parties further assert that legislation is needed to address these issues by exempting certain accredited animal sanctuary entities from provisions of law relating to the regulation of dangerous wild animals. C.S.S.B. 958 seeks to achieve this goal.

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

C.S.S.B. 958 amends the Health and Safety Code provision exempting certain animals from provisions of law relating to the regulation of dangerous wild animals to remove the exemption for an animal that is being cared for by designated parties. The bill includes among the exempted animals a dangerous wild animal that is sick while being rehabilitated or treated by a designated party and removes from those animals a dangerous wild animal that is infirm, orphaned, or abandoned. The bill clarifies that an exemption under these provisions applies to an animal that is in the temporary possession of the designated party rehabilitating or treating the animal, removes as a designated party an incorporated humane society or animal shelter, and specifies that the inclusion as a designated party of a person who holds a rehabilitation permit issued under state law refers to a party holding such a permit for the animal being rehabilitated or treated.

C.S.S.B. 958 expands the exemption from provisions of law relating to the regulation of dangerous wild animals to include an organization that is an accredited member of the Zoological Association of America and a wildlife sanctuary that is verified or accredited by the Global Federation of Animal Sanctuaries or a successor nonprofit organization that is similar to the Global Federation of Animal Sanctuaries and is designated by the Department of State Health Services if the Global Federation of Animal Sanctuaries ceases to exist.

C.S.S.B. 958 defines "wildlife sanctuary" and makes a nonsubstantive change.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2011.

COMPARISON OF ORIGINAL AND SUBSTITUTE

C.S.S.B. 958 differs from the original by expanding the exemption from provisions of law relating to the regulation of dangerous wild animals to include an organization that is an accredited member of the Zoological Association of America. The substitute differs from the original in nonsubstantive ways by conforming to certain bill drafting conventions.