

**LEGISLATIVE BUDGET BOARD**

**Austin, Texas**

**FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION**

**Revision 2**

**May 24, 2011**

**TO:** Honorable David Dewhurst, Lieutenant Governor, Senate

**FROM:** John S O'Brien, Director, Legislative Budget Board

**IN RE: SB958** by Wentworth (Relating to the regulation of dangerous wild animals. ), **As Passed 2nd House**

**No fiscal implication to the State is anticipated.**

The bill would amend portions of the Health and Safety Code to add a definition of a wildlife sanctuary and add an accredited member of the Zoological Association of America, the Feline Conservation Federaton, the Global Federation of Animal Sanctuaries, the American Sanctuary Association, or successor nonprofit organization designated by the Department of State Health Services to those entities to which certain provisions do not apply. The bill would amend provisions related to sick or injured dangerous animals in the care of a licensed veterinarian. The bill would provide that local government may not adopt ordinances that restrict the ability of volunteer search and rescues teams to use search and rescue dogs, which would not be considered dangerous wild animals under bill provisions.

The bill would also amend the Health and Safety Code to provide that the maximum fee charged to an applicant for registration of a dangerous wild animal that is a predatory animal would be set at \$500 each. Current law does not include a provision for predatory animals and allows animal registration agencies to charge a fee not to exceed \$50 for an applicant for each animal registered, and the fee may not exceed \$500 for each person registering animals, regardless of the number of animals. Any violations of sections 822.103(a), 822.106, and 822.110(a) or (b), Health and Safety Code, involving a predatory wild animal would be punishable as a Class B misdemeanor. Under current statute, a violation of sections 822.103(a), 822.106, or 822.110(a) or (b), Health and Safety Code, is punishable as a Class C misdemeanor. The bill would allow a person who lives or owns property in the county where a dangerous wild animal that is a predatory animal is kept to sue the owner of the animal to enjoin a violation of this subchapter or to enforce this subchapter.

The bill amendments would not result in a fiscal implication to the state. The bill would take immediate effect if the bill receives two-thirds the vote of all members in both houses. Otherwise, the bill would take effect September 1, 2011.

**Local Government Impact**

Based on a sample of Bexar County, Kerry County and the city of San Marcos, the Comptroller of Public Accounts reported that certain bill provisions may have a fiscal impact on units of local government. Fiscal impact would depend on whether the public registers the predatory animals, the number of predatory animals registered and the cost to the local government to administer the program.

**Source Agencies:** 802 Parks and Wildlife Department, 304 Comptroller of Public Accounts, 529 Health and Human Services Commission, 537 State Health Services, Department of

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