

BILL ANALYSIS

H.B. 375
By: Guillen
Homeland Security & Public Safety
Committee Report (Unamended)

BACKGROUND AND PURPOSE

The State Board of Veterinary Medical Examiners currently lacks the statutory authority to commission employees as peace officers to serve as investigators that is accorded other similar state boards, including the Texas Medical Board and the State Board of Dental Examiners. According to interested parties, the State Board of Veterinary Medical Examiners has been receiving an increasing number of complaints regarding individuals who are practicing veterinary medicine without a license and who may be untrained in veterinary medicine procedures such as vaccinating, treating, and performing surgeries. In the absence of accessible information about such matters, investigations into individuals who may have committed a serious violation, such as a violation involving a controlled substance, often are delayed until after a final court conviction, which allows the individual to continue practicing in the meantime. Critics assert that this situation poses a significant risk to the public. H.B. 375 seeks to address these concerns by authorizing the State Board of Veterinary Medical Examiners to commission certain employees as peace officers.

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

H.B. 375 amends the Occupations Code to authorize the State Board of Veterinary Medical Examiners to commission as a peace officer to enforce the Veterinary Licensing Act an employee who has been certified as qualified to be a peace officer by the Commission on Law Enforcement Officer Standards and Education. The bill grants an employee commissioned as a peace officer under the act the powers, privileges, and immunities of a peace officer while carrying out duties as a peace officer under the act.

H.B. 375 amends the Code of Criminal Procedure to make a conforming change.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2013.