

BILL ANALYSIS

H.B. 3748
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Judiciary & Civil Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Current law requires a justice court or municipal court that finds an animal owner to have cruelly treated the animal to order the owner to pay court costs. However, interested parties note that current law does not require or even authorize the court to award attorney's fees to a county or municipality in such cases. H.B. 3748 seeks to grant this authority to courts in these cases as well as to county courts and county courts at law in appeals of these cases.

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. 3748 amends the Health and Safety Code to authorize a justice court or municipal court, after the court finds at a hearing that an animal's owner has cruelly treated the animal, to order the owner to pay the county's or municipality's reasonable attorney's fees, in addition to ordering the owner to pay all court costs. The bill authorizes a county court or county court at law, after the court finds in an appeal of an order divesting an animal owner of such ownership that an animal's owner has cruelly treated the animal, to order the owner to pay the county's or municipality's reasonable attorney's fees and court costs, including the costs of investigation and expert witnesses.

EFFECTIVE DATE

September 1, 2013.