

BILL ANALYSIS

Senate Research Center
83R7077 NC-F

S.B. 654
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Intergovernmental Relations
3/12/2013
As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Currently, a municipality is authorized to enforce animal control and water conservation ordinance violations only through criminal proceedings (Class C misdemeanors punishable by a fine not to exceed \$500). Not only are these criminal proceedings both time consuming and expensive, but they are usually dismissed due to legal technicalities applicable to criminal prosecution. This results in increased costs for enforcement, loss of revenues because of failed prosecution, and the loss of active field time for animal service officers and code enforcement officials.

S.B. 654 remedies this issue by amending Chapter 54 (Enforcement of Municipal Ordinances), Local Government Code, to allow a municipality to bring a civil action, similar to other code compliance offenses, to enforce its animal control and water conservation ordinances. This will increase staff productivity and citizen compliance as well as provide for greater efficiency in the administration and enforcement of the municipality's animal control and water conservation ordinances.

As proposed, S.B. 654 amends current law relating to the enforcement of water conservation and animal care and control ordinances of a municipality by civil action or quasi-judicial enforcement, and provides civil penalties.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 54.012, Local Government Code, to add ordinances relating to animal care and control, and ordinances relating to water conservation measures, including watering restrictions, to a list of certain ordinances for which a municipality is authorized to bring a civil action for enforcement.

SECTION 2. Amends Section 54.032, Local Government Code, to add ordinances relating to animal care and control, and ordinances relating to water conservation measures, including watering restrictions, to a list of certain ordinances to which Subchapter C (Quasi-Judicial Enforcement of Health and Safety Ordinances) exclusively applies.

SECTION 3. Provides that the changes in law made by this Act apply only to a violation of a municipal ordinance that occurs on or after the effective date of this Act.

SECTION 4. Effective date: September 1, 2013.