

1-1 By: Watson S.B. No. 360
1-2 (In the Senate - Filed February 4, 2013; February 11, 2013,
1-3 read first time and referred to Committee on Health and Human
1-4 Services; March 20, 2013, reported favorably by the following
1-5 vote: Yeas 9, Nays 0; March 20, 2013, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	Nelson	X		
1-9	Deuell	X		
1-10	Huffman	X		
1-11	Nichols	X		
1-12	Schwertner	X		
1-13	Taylor	X		
1-14	Uresti	X		
1-15	West	X		
1-16	Zaffirini	X		

1-17 A BILL TO BE ENTITLED
1-18 AN ACT

1-19 relating to methods used by an animal shelter to euthanize a dog or
1-20 cat.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. Section 821.051, Health and Safety Code, is
1-23 amended by amending Subdivisions (3) and (4) and adding Subdivision
1-24 (5) to read as follows:

1-25 (3) "Board" means the executive commissioner [~~Texas~~
1-26 ~~Board of Health~~].

1-27 (4) "Department" means the [~~Texas~~] Department of State
1-28 Health Services.

1-29 (5) "Executive commissioner" means the executive
1-30 commissioner of the Health and Human Services Commission.

1-31 SECTION 2. Subsection (a), Section 821.052, Health and
1-32 Safety Code, is amended to read as follows:

1-33 (a) A person may euthanize a dog or cat in the custody of an
1-34 animal shelter only by administering sodium pentobarbital [~~or~~
1-35 ~~commercially compressed carbon monoxide~~].

1-36 SECTION 3. Section 821.054, Health and Safety Code, is
1-37 amended to read as follows:

1-38 Sec. 821.054. REQUIREMENTS FOR USE OF COMMERCIALY
1-39 COMPRESSED CARBON MONOXIDE. (a) The executive commissioner
1-40 [~~board~~] by rule shall establish:

1-41 (1) standards for a carbon monoxide chamber used to
1-42 euthanize an animal to which Section 821.052(b) applies [~~in the~~
1-43 ~~custody of an animal shelter~~]; and

1-44 (2) requirements and procedures for administering
1-45 commercially compressed carbon monoxide to euthanize an animal to
1-46 which Section 821.052(b) applies [~~in the custody of an animal~~
1-47 ~~shelter~~].

1-48 (b) A person administering commercially compressed carbon
1-49 monoxide to euthanize an animal to which Section 821.052(b) applies
1-50 [~~in the custody of an animal shelter~~]:

1-51 (1) may use only a carbon monoxide chamber that meets
1-52 the standards established by department [~~board~~] rule; and

1-53 (2) may administer the commercially compressed carbon
1-54 monoxide only in accordance with the requirements and procedures
1-55 established by department [~~board~~] rule.

1-56 SECTION 4. Not later than December 1, 2013, the executive
1-57 commissioner of the Health and Human Services Commission shall
1-58 adopt rules necessary to conform to Subsection (a), Section 821.052
1-59 and Section 821.054, Health and Safety Code, as amended by this Act.

1-60 SECTION 5. A person subject to Subsection (a), Section
1-61 821.052, Health and Safety Code, as amended by this Act, is not

2-1 required to comply with that subsection or any rules adopted under
2-2 that subsection until January 1, 2014.

2-3 SECTION 6. This Act takes effect immediately if it receives
2-4 a vote of two-thirds of all the members elected to each house, as
2-5 provided by Section 39, Article III, Texas Constitution. If this
2-6 Act does not receive the vote necessary for immediate effect, this
2-7 Act takes effect September 1, 2013.

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