

Amend **CSHB 3474** (senate committee report) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Subchapter C, Chapter 821, Health and Safety Code, is amended by adding Section 821.0521 to read as follows:

Sec. 821.0521. EUTHANASIA OF CERTAIN ANIMALS PROHIBITED.

(a) This section applies only to a county:

(1) with a population of more than 1.5 million that contains a municipality in which at least 75 percent of the county's population resides; or

(2) that borders the United Mexican States and the Gulf of Mexico.

(b) A person may not euthanize a dog, cat, or other animal in the custody of an animal shelter if the animal could safely be placed:

(1) in an empty cage, kennel, or other living environment intended for animal habitation in the animal shelter; or

(2) in a shared cage, kennel, or other living environment intended for animal habitation in the animal shelter with another animal of the same species.

(c) A cage, kennel, or other living environment described by Subsection (b)(1) or (2) does not include a cage, kennel, or other living environment in an animal shelter that is:

(1) not attached to the animal shelter or the premises of the animal shelter; or

(2) restricted to the public and designated for the provision of treatment and care to sick or injured animals.

(d) Subsection (b) does not apply to:

(1) an animal that is suspected of carrying and is otherwise exhibiting signs of rabies as determined by a licensed veterinarian;

(2) a dog that a court has determined to be a dangerous dog under Subchapter D, Chapter 822;

(3) a dog that has bitten a person severely enough that the person suffered an injury requiring more than minor medical attention;

(4) a dog that has bitten a cat or another dog, causing serious injury or death to the other animal;

(5) a dog that a certified animal behaviorist or qualified shelter staff has determined is a threat to human safety;
or

(6) an animal that has a poor or grave prognosis for being able to live without severe, unremitting pain, even with comprehensive, prompt, and necessary veterinary care, as determined by a licensed veterinarian.

(e) This section does not require a person who is an agent of an animal shelter to:

(1) group dogs or cats together in a manner that does not provide each animal the ability to turn freely or to easily stand, sit, stretch, move the animal's head without touching the top of the enclosure, lie in a comfortable position with limbs extended, or move around to assume a comfortable posture for feeding, drinking, urinating, and defecating;

(2) group two or more dogs together unless they are bonded companions or related;

(3) group sick animals with healthy animals; or

(4) group a dog that weighs more than 30 pounds with another dog without prior approval of a shelter staff member that is granted after the shelter staff member has supervised an introduction of the dogs.

(f) This section does not prohibit a person who is an agent of an animal shelter from euthanizing an animal to make a cage or kennel space available for an additional animal, if the additional animal is in the custody of the animal shelter or the agent and is expected to arrive at the animal shelter within a reasonable period of time.