

A BILL TO BE ENTITLED

AN ACT

relating to certain costs associated with certain court proceedings for cruelly treated animals; authorizing fees and costs.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 821.023(e), Health and Safety Code, is amended to read as follows:

(e) After a court finds that an animal's owner has cruelly treated the animal, the court may, if the court has jurisdiction over a county or municipality with a population of at least 700,000, order the owner to pay the county's or municipality's reasonable attorney's fees, and shall order the owner to pay all court costs, including:

(1) the administrative costs of:

(A) investigation;

(B) expert witnesses; and

(C) conducting any public sale ordered by the court; and

(2) the costs incurred by a municipal or county animal shelter or a nonprofit animal welfare organization in:

(A) housing and caring for the animal during its impoundment; and

(B) humanely destroying the animal if destruction is ordered by the court.

SECTION 2. Section 821.025, Health and Safety Code, is

1 amended by adding Subsection (i) to read as follows:

2 (i) After a county court or county court at law with  
3 jurisdiction over a county or municipality with a population of at  
4 least 700,000 finds that an animal's owner has cruelly treated the  
5 animal, the court may order the owner to pay the county's or  
6 municipality's reasonable attorney's fees and court costs,  
7 including the costs of investigation and expert witnesses.

8 SECTION 3. Section [103.0214](#), Government Code, is amended to  
9 read as follows:

10 Sec. 103.0214. ADDITIONAL FEES AND COSTS IN CRIMINAL OR  
11 CIVIL CASES: HEALTH AND SAFETY CODE. An accused or defendant, or a  
12 party to a civil suit, as applicable, shall pay the following fees  
13 and costs under the Health and Safety Code if ordered by the court  
14 or otherwise required:

15 (1) a fee to defray the cost of notifying state  
16 agencies of orders of expungement (Sec. [161.255](#), Health and Safety  
17 Code) . . . \$30 per application; and

18 (2) on a finding that an animal's owner has cruelly  
19 treated the animal, court costs including:

20 (A) investigation (Secs. [~~Sec.~~] [821.023](#) and  
21 [821.025](#), Health and Safety Code) . . . actual costs;

22 (B) expert witnesses (Secs. [~~Sec.~~] [821.023](#) and  
23 [821.025](#), Health and Safety Code) . . . actual costs;

24 (C) housing and caring for the animal during its  
25 impoundment (Sec. [821.023](#), Health and Safety Code) . . . actual  
26 costs;

27 (D) conducting any public sale ordered by the

1 court (Sec. 821.023, Health and Safety Code) . . . actual costs;

2 [~~and~~]

3 (E) humanely destroying the animal if  
4 destruction is ordered by the court (Sec. 821.023, Health and  
5 Safety Code) . . . actual costs; and

6 (F) reasonable attorney's fees (Secs. 821.023  
7 and 821.025, Health and Safety Code) . . . actual costs.

8 SECTION 4. The change in law made by this Act applies only  
9 to a proceeding commenced under Section 821.023 or 821.025, Health  
10 and Safety Code, on or after the effective date of this Act. A  
11 proceeding commenced before the effective date of this Act is  
12 governed by the law as it existed at the time the proceeding was  
13 commenced, and the former law is continued in effect for that  
14 purpose.

15 SECTION 5. This Act takes effect September 1, 2015.