

By: Elkins

H.B. No. 2276

Substitute the following for H.B. No. 2276:

By: Anderson of Dallas

C.S.H.B. No. 2276

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the development and maintenance of certain records and
3 written policies of animal shelters and releasing agencies;
4 amending a provision subject to a criminal penalty.

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

6 SECTION 1. The heading to Chapter 823, Health and Safety
7 Code, is amended to read as follows:

8 CHAPTER 823. ANIMAL SHELTERS AND RELEASING AGENCIES

9 SECTION 2. Section [823.001](#), Health and Safety Code, is
10 amended by adding Subdivision (5) to read as follows:

11 (5) "Releasing agency" has the meaning assigned by
12 Section [828.001](#).

13 SECTION 3. Section [823.003](#)(e), Health and Safety Code, as
14 amended by S.B. No. 219, Acts of the 84th Legislature, Regular
15 Session, 2015, is amended to read as follows:

16 (e) The executive commissioner of the Health and Human
17 Services Commission shall [~~may~~] require each person operating an
18 animal shelter to keep records as required by Section [823.010](#). The
19 board may require the animal shelter [~~of the date and disposition of~~
20 ~~animals in its custody,~~] to maintain the records on the business
21 premises of the animal shelter[~~7~~] and to make the records available
22 for inspection at reasonable times.

23 SECTION 4. Chapter 823, Health and Safety Code, is amended
24 by adding Section [823.010](#) to read as follows:

1 Sec. 823.010. INTAKE AND DISPOSITION RECORDS FOR ANIMAL
2 SHELTERS AND RELEASING AGENCIES. (a) Each animal shelter or
3 releasing agency operated in this state shall prepare and maintain
4 records regarding the intake and disposition of animals in the care
5 of the shelter or agency, including:

6 (1) the total number of animals, categorized by
7 species, as dog, cat, or other, taken in by the animal shelter or
8 releasing agency and the reason an animal was taken in, including
9 whether the animal was:

10 (A) surrendered by the animal's owner;

11 (B) impounded as a stray;

12 (C) impounded for a reason other than being a
13 stray;

14 (D) confiscated;

15 (E) transferred to the shelter or agency from a
16 location in this state;

17 (F) transferred to the shelter or agency from a
18 location outside this state; or

19 (G) born in the shelter or under the care of the
20 agency;

21 (2) the number of animals at the animal shelter or
22 releasing agency on the last day of each month; and

23 (3) the disposition of each animal taken in by the
24 animal shelter or releasing agency, categorized by species,
25 including whether the animal:

26 (A) was adopted;

27 (B) was reclaimed by the animal's owner;

- 1 (C) died in the shelter or under the care of the
2 agency;
- 3 (D) was transferred from the shelter or agency;
- 4 (E) was euthanized by the shelter or agency on a
5 decision made by the shelter or agency;
- 6 (F) was euthanized at the owner's request;
- 7 (G) was a cat returned to the field as part of a
8 sterilization program; or
- 9 (H) was lost or stolen while in the shelter's or
10 agency's care.

11 (b) An animal shelter or releasing agency shall monthly
12 prepare the records required by Subsection (a).

13 (c) An animal shelter or releasing agency shall maintain
14 records prepared under Subsection (a) until at least the third
15 anniversary of the date the record was prepared.

16 (d) An animal shelter or releasing agency shall make the
17 records required by this section available to the public.

18 SECTION 5. The changes in law made by this Act apply only to
19 an animal taken in or disposed of by an animal shelter or releasing
20 agency or counted in the shelter's or agency's animal total on or
21 after the effective date of this Act.

22 SECTION 6. This Act takes effect September 1, 2015.