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S.B. No. 1781

A BILL TO BE ENTITLED

AN ACT

relating to the euthanasia of animals in animal shelters located in certain counties.

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

SECTION 1. 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 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 (1) designated as an area where a person may get
2 acquainted with an animal; or

3 (2) usually restricted to the public because sick or
4 injured animals or animals that are receiving veterinary care are
5 kept in the area.

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

7 (1) an animal that is suspected of carrying and is
8 otherwise exhibiting signs of rabies or another highly communicable
9 disease as determined by a licensed veterinarian;

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

12 (3) a dog that has bitten a person severely enough that
13 the person suffered an injury requiring medical attention;

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

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

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

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

24 (1) group unrelated or unfamiliar animals together in
25 a cage, kennel, or other living environment before a health and
26 behavioral evaluation has been performed by an appropriate staff
27 member and the grouping has been determined to be appropriate;

1 (2) group animals together who are not socialized to
2 other animals and actively bully other animals;

3 (3) group more than six dogs together in a cage,
4 kennel, or other living environment, unless:

5 (A) a health or behavioral examination has been
6 performed on each dog by an appropriate staff member and the
7 grouping has been determined to be appropriate;

8 (B) there is adequate space to allow the dogs to
9 express a variety of normal behavior; and

10 (C) the dogs are provided sufficient resources to
11 prevent competition between the dogs or resource guarding by the
12 dogs; or

13 (4) group more than 12 cats together in a cage, kennel,
14 or other living environment, unless:

15 (A) a health or behavioral examination has been
16 performed on each cat by an appropriate staff member and the
17 grouping has been determined to be appropriate;

18 (B) there is adequate space to allow the cats to
19 express a variety of normal behavior; and

20 (C) the cats are provided sufficient resources to
21 prevent competition between the cats or resource guarding by the
22 cats.

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

1 SECTION 2. This Act takes effect September 1, 2015.