

By: Menéndez, et al.
(Minjarez, Oliveira)

S.B. No. 1781

Substitute the following for S.B. No. 1781:

By: Farrar

C.S.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 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

1 living environment in an animal shelter that is:

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

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

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 as determined by a licensed
9 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 more than minor medical
14 attention;

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

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

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

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

26 (1) group dogs or cats together in a manner that does
27 not provide each animal the ability to turn freely or to easily

1 stand, sit, stretch, move the animal's head without touching the
2 top of the enclosure, lie in a comfortable position with limbs
3 extended, or move around to assume a comfortable posture for
4 feeding, drinking, urinating, and defecating;

5 (2) group sick animals with healthy animals; or

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

10 (f) This section does not prohibit a person who is an agent
11 of an animal shelter from euthanizing an animal to make a cage or
12 kennel space available for an additional animal, if the additional
13 animal is in the custody of the animal shelter or the agent and is
14 scheduled to arrive at the animal shelter within three hours.

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