

1-1 By: Menéndez S.B. No. 1781
1-2 (In the Senate - Filed March 13, 2015; March 24, 2015, read
1-3 first time and referred to Committee on Intergovernmental
1-4 Relations; April 22, 2015, reported adversely, with favorable
1-5 Committee Substitute by the following vote: Yeas 5, Nays 0;
1-6 April 22, 2015, sent to printer.)

1-7 COMMITTEE VOTE

| | Yea | Nay | Absent | PNV |
|------|-----|-----|--------|-----|
| 1-8 | | | | |
| 1-9 | X | | | |
| 1-10 | X | | | |
| 1-11 | X | | | |
| 1-12 | X | | | |
| 1-13 | X | | | |
| 1-14 | | | X | |
| 1-15 | | | X | |

1-16 COMMITTEE SUBSTITUTE FOR S.B. No. 1781 By: Menéndez

1-17 A BILL TO BE ENTITLED
1-18 AN ACT

1-19 relating to the euthanasia of animals in animal shelters located in
1-20 certain counties.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. Subchapter C, Chapter 821, Health and Safety
1-23 Code, is amended by adding Section 821.0521 to read as follows:

1-24 Sec. 821.0521. EUTHANASIA OF CERTAIN ANIMALS PROHIBITED.

1-25 (a) This section applies only to a county:

1-26 (1) with a population of more than 1.5 million that
1-27 contains a municipality in which at least 75 percent of the county's
1-28 population resides; or

1-29 (2) that borders the United Mexican States and the
1-30 Gulf of Mexico.

1-31 (b) A person may not euthanize a dog, cat, or other animal in
1-32 the custody of an animal shelter if the animal could safely be
1-33 placed:

1-34 (1) in an empty cage, kennel, or other living
1-35 environment in the animal shelter; or

1-36 (2) in a shared cage, kennel, or other living
1-37 environment intended for animal habitation in the animal shelter
1-38 with another animal of the same species.

1-39 (c) A cage, kennel, or other living environment described by
1-40 Subsection (b)(1) or (2) does not include a cage, kennel, or other
1-41 living environment in an animal shelter that is:

1-42 (1) designated as an area where a person may get
1-43 acquainted with an animal; or

1-44 (2) usually restricted to the public because sick or
1-45 injured animals or animals that are receiving veterinary care are
1-46 kept in the area.

1-47 (d) Subsection (b) does not apply to:

1-48 (1) an animal that is suspected of carrying and is
1-49 otherwise exhibiting signs of rabies or another highly communicable
1-50 disease as determined by a licensed veterinarian;

1-51 (2) a dog that a court has determined to be a dangerous
1-52 dog under Subchapter D, Chapter 822;

1-53 (3) a dog that has bitten a person severely enough that
1-54 the person suffered an injury requiring medical attention;

1-55 (4) a dog that has bitten a cat or another dog, causing
1-56 serious injury or death to the other animal;

1-57 (5) a dog that a certified animal behaviorist or
1-58 shelter staff has determined is a threat to human safety; or

1-59 (6) an animal that has a poor or grave prognosis for
1-60 being able to live without severe, unremitting pain, even with

2-1 comprehensive, prompt, and necessary veterinary care, as
2-2 determined by a licensed veterinarian.

2-3 (e) This section does not require a person who is an agent of
2-4 an animal shelter to:

2-5 (1) group unrelated or unfamiliar animals together in
2-6 a cage, kennel, or other living environment before a health and
2-7 behavioral evaluation has been performed by an appropriate staff
2-8 member and the grouping has been determined to be appropriate;

2-9 (2) group animals together who are not socialized to
2-10 other animals and actively bully other animals;

2-11 (3) group more than six dogs together in a cage,
2-12 kennel, or other living environment, unless:

2-13 (A) a health or behavioral examination has been
2-14 performed on each dog by an appropriate staff member and the
2-15 grouping has been determined to be appropriate;

2-16 (B) there is adequate space to allow the dogs to
2-17 express a variety of normal behavior; and

2-18 (C) the dogs are provided sufficient resources to
2-19 prevent competition between the dogs or resource guarding by the
2-20 dogs; or

2-21 (4) group more than 12 cats together in a cage, kennel,
2-22 or other living environment, unless:

2-23 (A) a health or behavioral examination has been
2-24 performed on each cat by an appropriate staff member and the
2-25 grouping has been determined to be appropriate;

2-26 (B) there is adequate space to allow the cats to
2-27 express a variety of normal behavior; and

2-28 (C) the cats are provided sufficient resources to
2-29 prevent competition between the cats or resource guarding by the
2-30 cats.

2-31 (f) This section does not prohibit a person who is an agent
2-32 of an animal shelter from euthanizing an animal to make a cage or
2-33 kennel space available for an additional animal, if the additional
2-34 animal is expected to arrive at the animal shelter within a
2-35 reasonable period of time.

2-36 SECTION 2. This Act takes effect September 1, 2015.

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