

BILL ANALYSIS

C.S.H.B. 748
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Judiciary & Civil Jurisprudence
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Interested parties contend that the inability of a trial or appellate court to award attorney's fees to a county or municipality that succeeds in an action against the owner of an animal who cruelly treats the animal inhibits the ability of these entities to prevent such animal abuse. C.S.H.B. 748 seeks to increase enforcement of animal cruelty cases by granting certain courts the discretion to award such attorney's fees.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 748 amends the Health and Safety Code and the Government Code to authorize a court in a county or municipality with a population of at least 700,000 that finds that an animal's owner has cruelly treated the animal to order the owner to pay the county's or municipality's reasonable attorney's fees. The bill authorizes a county court or county court at law in such a county or municipality that issues a decision in an appeal finding that an animal's owner has cruelly treated the animal to order the owner to pay the county's or municipality's reasonable attorney's fees and court costs, including the costs of investigation and expert witnesses.

EFFECTIVE DATE

September 1, 2017.

COMPARISON OF ORIGINAL AND SUBSTITUTE

C.S.H.B. 748 differs from the original in minor or nonsubstantive ways by conforming to certain bill drafting conventions.