

By: West

S.B. No. 1057

A BILL TO BE ENTITLED

AN ACT

relating to inspection of certain vacant properties for abandoned animals; providing a civil penalty.

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

SECTION 1. Title 10, Health and Safety Code, is amended by adding Chapter 830 to read as follows:

CHAPTER 830. ABANDONED ANIMALS

Sec. 830.001. DEFINITIONS. In this chapter:

(1) "Abandoned" means left without reasonable arrangements for the assumption of custody by another person.

(2) "Animal" means a domesticated living creature, including livestock. The term does not include an uncaptured wild living creature.

(3) "Landlord" means the owner, lessor, or sublessor of a property that is or has been leased to a residential or commercial tenant.

(4) "Mortgagee" and "mortgagor" have the meanings assigned by Section 51.0001, Property Code.

Sec. 830.002. INSPECTION OF VACANT PROPERTY FOR ABANDONED ANIMALS. (a) Not later than the third day after the date a landlord, owner, or mortgagee knows or should know that a property under the landlord's, owner's, or mortgagee's control has been vacated through eviction, foreclosure, termination of tenancy, abandonment, or other permanent removal or exclusion of a tenant or

1 mortgagor from the premises, the landlord, owner, or mortgagee
2 shall inspect the property for abandoned animals.

3 (b) If the landlord, owner, or mortgagee encounters an
4 abandoned animal on or in the property, the landlord, owner, or
5 mortgagee shall immediately report the presence and condition of
6 the animal to:

7 (1) an animal control officer; or

8 (2) a law enforcement officer.

9 (c) A report under Subsection (b) does not create a
10 presumption that the person making the report has committed an
11 offense under Section [42.09](#) or [42.092](#), Penal Code.

12 Sec. 830.003. CIVIL PENALTY. A person who violates this
13 chapter is liable to the state for a civil penalty of not less than
14 \$100 or more than \$500.

15 SECTION 2. The change in law made by this Act applies only
16 with respect to property vacated on or after the effective date of
17 this Act.

18 SECTION 3. This Act takes effect September 1, 2017.