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By:  Kacal, Stucky, Buckley, King of Hemphill, H.B. No. 1931

     Ashby

A BILL TO BE ENTITLED

AN ACT

relating to the liability of volunteer certified veterinary assistants, licensed veterinary technicians, or veterinarians who provide medical assistance to an injured animal in certain situations.

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

SECTION 1.  Title 4, Civil Practice and Remedies Code, is amended by adding Chapter 91B to read as follows:

CHAPTER 91B. LIABILITY OF VOLUNTEER VETERINARY PRACTITIONERS

Sec. 91B.001.  DEFINITIONS. In this chapter, "certified veterinary assistant," "licensed veterinary technician," and "veterinarian" have the meanings assigned by Section 801.002, Occupations Code.

Sec. 91B.002.  IMMUNITY FROM LIABILITY. (a) Except as provided by Section 91B.003, a certified veterinary assistant, licensed veterinary technician, or veterinarian who in good faith and as a volunteer provides medical assistance to an injured animal is immune from civil liability for an act or omission that occurs in providing that medical assistance if the medical assistance is provided:

(1)  in response to an incident that is a man-made or natural disaster that injures, endangers, or threatens to endanger the animal;

(2)  at the request of the owner of the animal or an authorized representative of a local, state, or federal agency, including a fire department, a police department, an emergency management agency, or a disaster response agency; and

(3)  within the scope of practice authorized and level of supervision required under Chapter 801, Occupations Code.

(b)  This section does not apply to a certified veterinary assistant, licensed veterinary technician, or veterinarian giving medical assistance for or in expectation of compensation from or on behalf of the owner of the animal in excess of reimbursement for expenses incurred.

Sec. 91B.003.  APPLICABILITY. This chapter does not apply to an act or omission that is grossly negligent or intentional misconduct.

SECTION 2.  Chapter 91B, Civil Practice and Remedies Code, as added by this Act, does not apply to a cause of action that accrued before the effective date of this Act. A cause of action that accrued before the effective date of this Act is governed by the law applicable to the cause of action immediately before the effective date of this Act, and that law is continued in effect for that purpose.

SECTION 3.  This Act takes effect September 1, 2019.