

By: Kacal, Stucky, Buckley, King of Hemphill,
Ashby

H.B. No. 1931

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

1 authorized representative of a local, state, or federal agency,
2 including a fire department, a police department, an emergency
3 management agency, or a disaster response agency; and

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

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

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

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

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