

BILL ANALYSIS

C.S.H.B. 100
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Urban Affairs
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Concerns have been raised regarding the number of attacks on domestic animals and livestock by dangerous and aggressive dogs in the extraterritorial jurisdiction of cities and counties across the state where animal control authorities do not operate. C.S.H.B. 100 seeks to address these concerns by allowing a municipal animal control authority to impound and manage dangerous and aggressive dogs in the municipality's extraterritorial jurisdiction under certain circumstances.

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. 100 amends the Health and Safety Code to authorize a municipal animal control authority to impound and manage dangerous dogs and aggressive dogs in the municipality's extraterritorial jurisdiction (ETJ) under the following circumstances:

- the authority receives a notarized affidavit signed by at least two residents from different households in the ETJ requesting assistance from the authority and alleging the following:
 - repeated attacks on humans, domestic animals, or livestock within the ETJ by dangerous or aggressive dogs; and
 - the ETJ is an unsafe environment for humans, domestic animals, or livestock due to the presence of dangerous or aggressive dogs; and
- either no animal control authority is authorized to operate in the ETJ or the animal control authority operating in the ETJ does not provide for the impoundment or management of dangerous dogs or aggressive dogs.

The bill defines "aggressive dog" for such purposes, and "dangerous dog" has the meaning assigned by applicable state law.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2021.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 100 may differ from the original in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The substitute decreases the minimum number of residents from different households in the ETJ who must sign the petition from three to two.

The substitute changes the document submitted to the authority from a petition to an affidavit and requires the affidavit to be notarized.