

BILL ANALYSIS

H.B. 4181
By: Guillen
Agriculture & Livestock
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Each year, the Texas Board of Veterinary Medical Examiners receives a large number of complaints about individuals who are practicing veterinary medicine without a license. Sometimes these individuals fraudulently pass themselves off to unsuspecting members of the public as veterinarians or claim to be affiliated with legitimate veterinary practices. There is an obvious danger to the public from unrecognized zoonotic and foreign animal diseases when untrained persons engage in vaccinating, treating, and performing surgeries on animals. These individuals often go unpunished and undeterred because law enforcement officers do not have the time and resources to pursue cases that are only Class A misdemeanors. H.B. 4181 seeks to address this issue by increasing the penalty for certain violations of the Veterinary Licensing Act from a Class A misdemeanor to a state jail felony.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill expressly does one or more of the following: creates a criminal offense, increases the punishment for an existing criminal offense or category of offenses, or changes 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

H.B. 4181 amends the Occupations Code to increase the penalty for a violation of the Veterinary Licensing Act from a Class A misdemeanor to a state jail felony if it is shown on the trial of the offense that the actor did the following:

- violated the prohibition against a person practicing, or offering or attempting to practice, veterinary medicine without holding a license to practice veterinary medicine; and
- during the commission of the offense falsely represented to another that the actor was a veterinarian or was affiliated with a veterinarian's practice.

EFFECTIVE DATE

September 1, 2021.