

By: Gervin-Hawkins

H.B. No. 100

Substitute the following for H.B. No. 100:

By: Holland

C.S.H.B. No. 100

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to a notarized affidavit requesting a municipal animal  
3 control authority to manage dangerous dogs and aggressive dogs in  
4 the municipality's extraterritorial jurisdiction.

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

6 SECTION 1. Subchapter A, Chapter 822, Health and Safety  
7 Code, is amended by adding Section 822.008 to read as follows:

8 Sec. 822.008. NOTARIZED AFFIDAVIT REQUESTING MUNICIPAL  
9 ANIMAL CONTROL AUTHORITY TO OPERATE IN EXTRATERRITORIAL  
10 JURISDICTION. (a) In this section, "aggressive dog" means a dog  
11 that makes an unprovoked attack on a domestic animal or livestock  
12 that:

13 (1) causes bodily injury to the animal or livestock;

14 and

15 (2) occurs in a place other than an enclosure:

16 (A) in which the dog was being kept; and

17 (B) that is reasonably secured to prevent the dog  
18 from leaving the enclosure.

19 (b) A municipal animal control authority may impound and  
20 manage dangerous dogs and aggressive dogs in the municipality's  
21 extraterritorial jurisdiction if:

22 (1) the authority receives a notarized affidavit  
23 signed by at least two residents from different households in the  
24 extraterritorial jurisdiction requesting assistance from the

1 authority and alleging that:

2 (A) dangerous dogs or aggressive dogs have  
3 repeatedly attacked humans, domestic animals, or livestock within  
4 the extraterritorial jurisdiction; and

5 (B) due to the presence of dangerous dogs or  
6 aggressive dogs, the extraterritorial jurisdiction is an unsafe  
7 environment for humans, domestic animals, or livestock; and

8 (2) in the extraterritorial jurisdiction:

9 (A) no animal control authority is authorized to  
10 operate; or

11 (B) the operating animal control authority does  
12 not provide for the impoundment or management of dangerous dogs or  
13 aggressive dogs.

14 SECTION 2. This Act takes effect immediately if it receives  
15 a vote of two-thirds of all the members elected to each house, as  
16 provided by Section 39, Article III, Texas Constitution. If this  
17 Act does not receive the vote necessary for immediate effect, this  
18 Act takes effect September 1, 2021.