

By: Gervin-Hawkins

H.B. No. 100

A BILL TO BE ENTITLED

1 AN ACT
2 relating to a petition for a municipal animal control authority to
3 manage dangerous dogs and aggressive dogs in the extraterritorial
4 jurisdiction of the municipality.

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. PETITION FOR MUNICIPAL ANIMAL CONTROL
9 AUTHORITY TO OPERATE IN EXTRATERRITORIAL JURISDICTION. (a) In
10 this section, "aggressive dog" means a dog that makes an unprovoked
11 attack on a domestic animal or livestock that:

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

13 and

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

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

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

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

21 (1) the authority receives a petition signed by at
22 least three residents from three different households in the
23 extraterritorial jurisdiction requesting assistance from the
24 authority and alleging that:

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

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

7 (2) in the extraterritorial jurisdiction:

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

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

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