

By: Swanson

H.B. No. 3340

A BILL TO BE ENTITLED

AN ACT

relating to the appeal of certain orders regarding dangerous dogs.

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

SECTION 1. Section 822.042, Health and Safety Code, is amended by amending Subsection (e) and adding Subsection (e-1) to read as follows:

(e) Subject to Subsection (e-1), the ~~[The]~~ court shall order the animal control authority to humanely destroy the dog if the owner has not complied with Subsection (a) before the 11th day after the date on which the dog is seized or delivered to the authority~~[,~~ ~~except that, notwithstanding any other law or local regulation, the court may not order the destruction of a dog during the pendency of an appeal under Section 822.0424]~~. The court shall order the authority to return the dog to the owner if the owner complies with Subsection (a) before the 11th day after the date on which the dog is seized or delivered to the authority.

(e-1) Notwithstanding any other law or local regulation:

(1) any order to destroy a dog is stayed for a period of 10 calendar days from the date the order is issued, during which period the dog's owner may file a notice of appeal; and

(2) a court, including a justice court, may not order the destruction of a dog during the pendency of an appeal under Section 822.0424.

SECTION 2. The change in law made by this Act applies only

1 to an order issued by a court on or after the effective date of this  
2 Act. An order issued before the effective date of this Act is  
3 governed by the law in effect on the date the order was issued and  
4 the former law is continued in effect for that purpose.

5 SECTION 3. This Act takes effect September 1, 2021.