

1-1 By: Swanson (Senate Sponsor - Bettencourt) H.B. No. 3340
 1-2 (In the Senate - Received from the House May 17, 2021;
 1-3 May 17, 2021, read first time and referred to Committee on Local
 1-4 Government; May 22, 2021, reported favorably by the following
 1-5 vote: Yeas 8, Nays 0; May 22, 2021, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7 Bettencourt	X			
1-8 Menéndez	X			
1-9 Eckhardt	X			
1-10 Gutierrez			X	
1-11 Hall	X			
1-12 Nichols	X			
1-13 Paxton	X			
1-14 Springer	X			
1-15 Zaffirini	X			

1-17 A BILL TO BE ENTITLED
 1-18 AN ACT

1-19 relating to the appeal of certain orders regarding dangerous dogs.

1-20 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-21 SECTION 1. Section [822.042](#), Health and Safety Code, is
 1-22 amended by amending Subsection (e) and adding Subsection (e-1) to
 1-23 read as follows:

1-24 (e) Subject to Subsection (e-1), the [The] court shall order
 1-25 the animal control authority to humanely destroy the dog if the
 1-26 owner has not complied with Subsection (a) before the 11th day after
 1-27 the date on which the dog is seized or delivered to the authority[
 1-28 ~~except that, notwithstanding any other law or local regulation, the~~
 1-29 ~~court may not order the destruction of a dog during the pendency of~~
 1-30 ~~an appeal under Section [822.0424](#)].~~ The court shall order the
 1-31 authority to return the dog to the owner if the owner complies with
 1-32 Subsection (a) before the 11th day after the date on which the dog
 1-33 is seized or delivered to the authority.

1-34 (e-1) Notwithstanding any other law or local regulation:

1-35 (1) any order to destroy a dog is stayed for a period
 1-36 of 10 calendar days from the date the order is issued, during which
 1-37 period the dog's owner may file a notice of appeal; and

1-38 (2) a court, including a justice court, may not order
 1-39 the destruction of a dog during the pendency of an appeal under
 1-40 Section [822.0424](#).

1-41 SECTION 2. The change in law made by this Act applies only
 1-42 to an order issued by a court on or after the effective date of this
 1-43 Act. An order issued before the effective date of this Act is
 1-44 governed by the law in effect on the date the order was issued and
 1-45 the former law is continued in effect for that purpose.

1-46 SECTION 3. This Act takes effect September 1, 2021.

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