

By: González of El Paso

H.B. No. 4330

A BILL TO BE ENTITLED

AN ACT

relating to a report of animal cruelty to certain law enforcement agencies and immunity from liability for the report.

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

SECTION 1. The heading to Subchapter B, Chapter 821, Health and Safety Code, is amended to read as follows:

SUBCHAPTER B. ~~[DISPOSITION OF]~~ CRUELLY TREATED ANIMALS

SECTION 2. Subchapter B, Chapter 821, Health and Safety Code, is amended by adding Section 821.027 to read as follows:

Sec. 821.027. REPORT OF ANIMAL CRUELTY; IMMUNITIES. (a) A veterinarian licensed to practice veterinary medicine in this state or an employee of the Health and Human Services Commission or the Department of Family and Protective Services who is acting within the scope of practice or employment and has reasonable cause to believe that a person has committed an offense under Section 42.092, Penal Code, with respect to a domesticated nonlivestock animal shall report, as soon as possible, the suspected offense to:

(1) the county sheriff's department of the county in which the suspected offense was committed; or

(2) the municipal police department of the municipality in which the suspected offense was committed.

(b) For purposes of Subsections (a) and (b), if the veterinarian or employee is unable to determine the county or municipality in which the suspected offense was committed, the

1 veterinarian or employee shall report the suspected offense to the
2 appropriate authorities in the county or municipality in which the
3 animal was located at the time the veterinarian or employee
4 discovered the suspected offense.

5 (c) Unless the person acted in bad faith or maliciously, a
6 person is immune from civil or criminal liability and is not subject
7 to administrative disciplinary action for:

8 (1) submitting a report under this section;

9 (2) assisting in an investigation of a report under
10 this section;

11 (3) providing records or information related to a
12 suspected offense under Section 42.092, Penal Code; or

13 (4) providing testimony or otherwise participating in
14 a court proceeding arising from the report, records, or
15 information.

16 SECTION 3. Section 821.027, Health and Safety Code, as
17 added by this Act, applies only to a suspected offense that was
18 committed, is reasonably believed to have been committed, or was
19 discovered on or after the effective date of this Act.

20 SECTION 4. This Act takes effect September 1, 2021.