

BILL ANALYSIS

H.B. 4546
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Judiciary & Civil Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

The bill author has informed the committee of a tragic case involving a horse that died due to alleged veterinary negligence at Texas A&M University. The veterinarian involved, a public employee, failed to provide adequate care, but the horse's owner found there was no real path to justice—she could not sue the individual vet directly, and no meaningful disciplinary action was taken against the vet's license. H.B. 4546 seeks to address this accountability gap and ensure that bad actors cannot hide behind governmental immunity by providing for a plaintiff's election of remedies under the Texas Tort Claims Act in suits against veterinarians employed by a governmental unit.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 4546 amends the Occupations Code to require a court to require a plaintiff who files suit under the Texas Tort Claims Act against a veterinarian employed by a governmental unit, defined by reference to that act, to promptly amend the plaintiff's pleadings to do the following, as applicable:

- if the plaintiff also files suit against the governmental unit, to dismiss either the governmental unit or the veterinarian; and
- if the suit is filed against the veterinarian based on veterinary services provided within the general scope of the veterinarian's employment, to elect whether the suit is against the employee in the employee's official capacity or individual capacity.

The bill requires the court to dismiss the suit if the plaintiff fails to take any of the required actions, as applicable.

H.B. 4546 applies only to an action commenced on or after the bill's effective date. An action commenced before the bill's effective date is governed by the law as it existed immediately before the bill's effective date, and that law is continued in effect for that purpose.

EFFECTIVE DATE

September 1, 2025.