

By: Gervin-Hawkins

H.B. No. 448

A BILL TO BE ENTITLED

AN ACT

1
2 relating to a notarized affidavit requesting a municipal animal
3 control authority to seize and impound a dangerous or aggressive
4 dog in the municipality's extraterritorial jurisdiction.

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

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

14 and

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

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

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

19 (b) A municipal animal control authority in the
20 municipality's extraterritorial jurisdiction may seize and impound
21 a dangerous or aggressive dog until a court orders its disposition
22 if:

23 (1) the authority receives a notarized affidavit
24 signed by at least two residents from different households in the

1 extraterritorial jurisdiction requesting assistance from the
2 authority and alleging that:

3 (A) a dangerous or aggressive dog has repeatedly
4 attacked humans, domestic animals, or livestock within the
5 extraterritorial jurisdiction; and

6 (B) due to the presence of a dangerous or
7 aggressive dog, the extraterritorial jurisdiction is an unsafe
8 environment for humans, domestic animals, or livestock; and

9 (2) in the extraterritorial jurisdiction:

10 (A) no animal control authority is authorized to
11 operate; or

12 (B) the operating animal control authority does
13 not provide for the seizure or impoundment of dangerous or
14 aggressive dogs.

15 SECTION 2. This Act takes effect immediately if it receives
16 a vote of two-thirds of all the members elected to each house, as
17 provided by Section 39, Article III, Texas Constitution. If this
18 Act does not receive the vote necessary for immediate effect, this
19 Act takes effect September 1, 2025.