

AN ACT

relating to the continuation and functions of the State Board of Veterinary Medical Examiners; authorizing a reduction in fees; providing penalties.

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

SECTION 1. Section 826.042, Health and Safety Code, is amended by adding Subsections (f) and (g) to read as follows:

(f) At the time an owner submits for quarantine an animal described by Subsection (b), the veterinarian or local rabies control authority, as applicable, shall:

(1) provide written notification to the animal's owner of the date the animal enters quarantine and the date the animal will be released from quarantine;

(2) obtain and retain with the animal's records a written statement signed by the animal's owner and a supervisor employed by the veterinarian or local rabies control authority acknowledging that the information required by Subdivision (1) has been provided to the animal's owner; and

(3) provide the animal's owner a copy of the signed written statement obtained under Subdivision (2).

(g) A veterinarian or local rabies control authority, as applicable, shall identify each animal quarantined under this section with a placard or other marking on the animal's kennel that indicates the animal is quarantined under this section.

1 SECTION 2. Section 826.043, Health and Safety Code, is  
2 amended by amending Subsection (d) and adding Subsection (e) to  
3 read as follows:

4 (d) Except as provided by Subsection (e), the [The]  
5 veterinarian or local rabies control authority may sell the animal  
6 and retain the proceeds or keep, grant, or destroy an animal if the  
7 owner or custodian does not take possession of the animal before the  
8 fourth day following the final day of the quarantine period.

9 (e) A veterinarian or local rabies control authority may not  
10 destroy an animal following the final day of the quarantine period  
11 unless the veterinarian or local rabies control authority has  
12 notified the animal's owner, if available, of the animal's  
13 scheduled destruction.

14 SECTION 3. Section 801.003, Occupations Code, is amended to  
15 read as follows:

16 Sec. 801.003. APPLICATION OF SUNSET ACT. The State Board of  
17 Veterinary Medical Examiners is subject to Chapter 325, Government  
18 Code (Texas Sunset Act). Unless continued in existence as provided  
19 by that chapter, the board is abolished and this chapter expires  
20 September 1, 2021 [~~2017~~].

21 SECTION 4. Section 801.004, Occupations Code, is amended to  
22 read as follows:

23 Sec. 801.004. APPLICATION OF CHAPTER. This chapter does  
24 not apply to:

25 (1) the treatment or care of an animal in any manner by  
26 the owner of the animal, an employee of the owner, or a designated  
27 caretaker of the animal, unless the ownership, employment, or

1 designation is established with the intent to violate this chapter;

2 (2) a person who performs an act prescribed by the  
3 board as an accepted livestock management practice, including:

4 (A) castrating a male animal raised for human  
5 consumption;

6 (B) docking or earmarking an animal raised for  
7 human consumption;

8 (C) dehorning cattle;

9 (D) aiding in the nonsurgical birth process of a  
10 large animal, as defined by board rule;

11 (E) treating an animal for disease prevention  
12 with a nonprescription medicine or vaccine;

13 (F) branding or identifying an animal in any  
14 manner;

15 (G) artificially inseminating an animal,  
16 including training, inseminating, and compensating for services  
17 related to artificial insemination; and

18 (H) shoeing a horse;

19 (3) the performance of a cosmetic or production  
20 technique to reduce injury in poultry intended for human  
21 consumption;

22 (4) the performance of a duty by a veterinarian's  
23 employee if:

24 (A) the duty involves food production animals;

25 (B) the duty does not involve diagnosis,  
26 prescription, or surgery;

27 (C) the employee is under the direction and

1 general supervision of the veterinarian; and

2 (D) the veterinarian is responsible for the  
3 employee's performance;

4 (5) the performance of an act by a person who is a  
5 full-time student of an accredited college of veterinary medicine  
6 if the act is performed under the direct supervision of a  
7 veterinarian;

8 (6) an animal shelter employee who performs euthanasia  
9 in the course and scope of the person's employment if the person has  
10 successfully completed training in accordance with Chapter 829,  
11 Health and Safety Code;

12 (7) a person who is engaged in a recognized  
13 state-federal cooperative disease eradication or control program  
14 or an external parasite control program while the person is  
15 performing official duties required by the program;

16 (8) a person who, without expectation of compensation,  
17 provides emergency care in an emergency or disaster; ~~or~~

18 (9) a consultation given to a veterinarian in this  
19 state by a person who:

20 (A) resides in another state; and

21 (B) is lawfully qualified to practice veterinary  
22 medicine under the laws of that state; or

23 (10) a licensed health care professional who, without  
24 expectation of compensation and under the direct supervision of a  
25 veterinarian on staff, provides treatment or care to an animal  
26 owned by or in the possession, control, or custody of an entity  
27 accredited by the Association of Zoos and Aquariums or one of the

1 following organizations that has a veterinarian on staff:

2 (A) the Global Federation of Animal Sanctuaries;

3 or

4 (B) the Zoological Association of America.

5 SECTION 5. Section 801.051(a), Occupations Code, is amended  
6 to read as follows:

7 (a) The State Board of Veterinary Medical Examiners  
8 consists of nine members appointed by the governor with the advice  
9 and consent of the senate as follows:

10 (1) five [six] veterinarian members, including:

11 (A) one veterinarian member who is associated  
12 with an animal shelter; and

13 (B) one veterinarian member who has at least  
14 three years of experience practicing veterinary medicine in this  
15 state on horses, livestock, or other large animals; [and]

16 (2) one licensed veterinary technician member; and

17 (3) three members who represent the public.

18 SECTION 6. Section 801.057, Occupations Code, is amended by  
19 amending Subsection (b) and adding Subsection (d) to read as  
20 follows:

21 (b) The training program must provide the person with  
22 information regarding:

23 (1) the law governing board operations;

24 (2) the [legislation that created the board and the  
25 board's] programs, functions, rules, and budget of the board;

26 (3) the scope of and limitations on the rulemaking  
27 authority of the board;

1           (4) the types of board rules, interpretations, and  
2 enforcement actions that may implicate federal antitrust law by  
3 limiting competition or impacting prices charged by persons engaged  
4 in a profession or business the board regulates, including rules,  
5 interpretations, and enforcement actions that:

6                   (A) regulate the scope of practice of persons in  
7 a profession or business the board regulates;

8                   (B) restrict advertising by persons in a  
9 profession or business the board regulates;

10                   (C) affect the price of goods or services  
11 provided by persons in a profession or business the board  
12 regulates; or

13                   (D) restrict participation in a profession or  
14 business the board regulates;

15           (5) [~~(2)~~] the results of the most recent formal audit  
16 of the board;

17           (6) [~~(3)~~] the requirements of:

18                   (A) laws relating to open meetings, public  
19 information, administrative procedure, and disclosing conflicts of  
20 interest; and

21                   (B) other laws applicable to members of the board  
22 in performing their duties; and

23           (7) [~~(4)~~] any applicable ethics policies adopted by  
24 the board or the Texas Ethics Commission.

25           (d) The executive director of the board shall create a  
26 training manual that includes the information required by  
27 Subsection (b). The executive director shall distribute a copy of

1 the training manual annually to each board member. On receipt of  
2 the training manual, each board member shall sign and submit to the  
3 executive director a statement acknowledging receipt of the  
4 training manual.

5 SECTION 7. Section 801.154, Occupations Code, is amended to  
6 read as follows:

7 Sec. 801.154. FEES. [~~(a)~~] The board by rule shall set fees  
8 in amounts that are reasonable and necessary so that the fees, in  
9 the aggregate, cover the costs of administering this chapter. [~~The~~  
10 ~~board may not set a fee that existed on September 1, 1993, in an~~  
11 ~~amount that is less than the fee on that date.~~]

12 SECTION 8. Subchapter D, Chapter 801, Occupations Code, is  
13 amended by adding Section 801.164 to read as follows:

14 Sec. 801.164. RISK-BASED INSPECTIONS RELATED TO CONTROLLED  
15 SUBSTANCES PRACTICES. The board may conduct a risk-based  
16 inspection of a veterinarian's practice based on information  
17 obtained from the veterinarian or another source concerning the  
18 veterinarian's use, handling, prescribing, dispensing, or delivery  
19 of controlled substances.

20 SECTION 9. Section 801.205, Occupations Code, is amended to  
21 read as follows:

22 Sec. 801.205. GENERAL RULES REGARDING COMPLAINT  
23 INVESTIGATION AND DISPOSITION. The board shall adopt rules  
24 relating to the investigation of complaints filed with the board.  
25 The rules must:

- 26 (1) distinguish between categories of complaints;  
27 (2) ensure that complaints are not dismissed without

1 appropriate consideration;

2 (3) require that the board be advised of a complaint  
3 that is dismissed [~~and that a written explanation be given to the~~  
4 ~~person who filed the complaint explaining the action taken on the~~  
5 ~~dismissed complaint~~];

6 (4) ensure that the person who filed the complaint has  
7 the opportunity to explain the allegations made in the complaint;  
8 and

9 (5) prescribe guidelines concerning the categories of  
10 complaints that require the use of a private investigator and the  
11 procedures for the board to obtain the services of a private  
12 investigator.

13 SECTION 10. Section [801.2055](#), Occupations Code, is amended  
14 to read as follows:

15 Sec. 801.2055. COMPLAINTS REQUIRING MEDICAL EXPERTISE.

16 (a) A complaint that requires medical expertise to review must be  
17 reviewed by one [~~two~~] or more veterinarians designated by the  
18 [~~veterinarian~~] board [~~members~~]. The veterinarian reviewers [~~board~~  
19 ~~members~~] shall determine whether to dismiss the complaint or refer  
20 it to an informal proceeding under Section [801.408](#).

21 (b) If the veterinarian reviewers determine to:

22 (1) dismiss the complaint, the dismissal must be  
23 approved by the board at a public meeting; or

24 (2) refer the complaint to an informal proceeding, the  
25 complaint is referred to an informal proceeding under Section  
26 [801.408](#).

27 (c) If the board designates more than one veterinarian



1 reviewer and the reviewers [~~members~~] do not agree to dismiss or  
2 refer the complaint to an informal proceeding, the complaint is  
3 referred to an informal proceeding under Section 801.408.

4 (d) A veterinarian board member who reviews a complaint  
5 under this section may not participate in any subsequent  
6 disciplinary proceeding related to the complaint.

7 SECTION 11. Section 801.207, Occupations Code, is amended  
8 by amending Subsection (b) and adding Subsections (c), (d), and (e)  
9 to read as follows:

10 (b) Each complaint, investigation file and record, and  
11 other investigation report and all other investigative information  
12 in the possession of or received or gathered by the board or the  
13 board's employees or agents relating to a license holder, an  
14 application for license, or a criminal investigation or proceeding  
15 is privileged and confidential and is not subject to discovery,  
16 subpoena, or other means of legal compulsion for release to anyone  
17 other than the board or the board's employees or agents involved in  
18 discipline of a license holder [~~An investigation record of the~~  
19 ~~board, including a record relating to a complaint that is found to~~  
20 ~~be groundless, is confidential].~~

21 (c) The board shall protect the identity of a complainant to  
22 the extent possible.

23 (d) Not later than the 30th day after the date of receipt of  
24 a written request from a license holder who is the subject of a  
25 formal complaint initiated and filed under this subchapter or from  
26 the license holder's counsel of record, and subject to any other  
27 privilege or restriction set forth by rule, statute, or legal

1 precedent, and unless good cause is shown for delay, the board shall  
2 provide the license holder with access to all information in its  
3 possession that the board intends to offer into evidence in  
4 presenting its case in chief at the contested hearing on the  
5 complaint. The board is not required to provide:

6 (1) a board investigative report or memorandum;

7 (2) the identity of a nontestifying complainant; or

8 (3) attorney-client communications, attorney work  
9 product, or other materials covered by a privilege recognized by  
10 the Texas Rules of Civil Procedure or the Texas Rules of Evidence.

11 (e) Furnishing information under Subsection (d) does not  
12 constitute a waiver of privilege or confidentiality under this  
13 chapter or other applicable law.

14 SECTION 12. Subchapter E, Chapter 801, Occupations Code, is  
15 amended by adding Section 801.208 to read as follows:

16 Sec. 801.208. NOTIFICATION TO COMPLAINANT REGARDING  
17 COMPLAINT DISPOSITION. (a) The board shall promptly notify a  
18 complainant of the final disposition of the complaint, including  
19 notice:

20 (1) that the complaint was dismissed;

21 (2) that a penalty, disciplinary action, or other  
22 sanction was imposed; or

23 (3) that the complaint was disposed of in another  
24 manner and the nature of that disposition.

25 (b) The board shall include with the notification a copy of  
26 any public sanction imposed by the board.

27 (c) The board shall include in the notification an

1 explanation of each reason for the disposition, including, as  
2 applicable, in plain, easily understandable language, each reason  
3 the conduct alleged in the complaint did or did not constitute  
4 grounds for the imposition of a penalty, disciplinary action, or  
5 other sanction.

6 (d) The notification may not include information that is  
7 confidential under Section 801.207(b).

8 SECTION 13. Subchapter E, Chapter 801, Occupations Code, is  
9 amended by adding Section 801.209 to read as follows:

10 Sec. 801.209. REQUIREMENTS FOR CERTAIN COMPLAINTS. (a) In  
11 this section:

12 (1) "Anonymous complaint" means a complaint that lacks  
13 sufficient information to identify the source or the name of the  
14 person who filed the complaint.

15 (2) "Insurance professional" means a person licensed  
16 under Title 13, Insurance Code.

17 (3) "Insurer" means an insurance company or other  
18 entity authorized to engage in the business of insurance under  
19 Title 6, Insurance Code.

20 (b) The board may not accept anonymous complaints.

21 (c) Notwithstanding any confidentiality requirements under  
22 Chapter 552, Government Code, or this chapter, a complaint filed  
23 with the board against a license holder by a pharmaceutical company  
24 or by an insurance professional or insurer relating to insurance  
25 covering veterinary services must include the name and address of  
26 the pharmaceutical company, insurance professional, or insurer  
27 filing the complaint. Not later than the 15th day after the date

1 the complaint is filed with the board, the board shall notify the  
2 license holder who is the subject of the complaint of the name and  
3 address of the pharmaceutical company, insurance professional, or  
4 insurer who filed the complaint, unless the notice would jeopardize  
5 an investigation.

6 SECTION 14. Subchapter F, Chapter 801, Occupations Code, is  
7 amended by adding Section 801.267 to read as follows:

8 Sec. 801.267. CRIMINAL HISTORY RECORD INFORMATION FOR  
9 LICENSE ISSUANCE. (a) The board shall require that an applicant  
10 for a license submit a complete and legible set of fingerprints, on  
11 a form prescribed by the board, to the board or to the Department of  
12 Public Safety for the purpose of obtaining criminal history record  
13 information from the Department of Public Safety and the Federal  
14 Bureau of Investigation.

15 (b) The board may not issue a license to a person who does  
16 not comply with the requirement of Subsection (a).

17 (c) The board shall conduct a criminal history record  
18 information check of each applicant for a license using  
19 information:

20 (1) provided by the individual under this section; and  
21 (2) made available to the board by the Department of  
22 Public Safety, the Federal Bureau of Investigation, and any other  
23 criminal justice agency under Chapter 411, Government Code.

24 (d) The board may:

25 (1) enter into an agreement with the Department of  
26 Public Safety to administer a criminal history record information  
27 check required under this section; and

1           (2) authorize the Department of Public Safety to  
2 collect from each applicant the costs incurred by the Department of  
3 Public Safety in conducting the criminal history record information  
4 check.

5           SECTION 15. Section 801.301, Occupations Code, is amended  
6 to read as follows:

7           Sec. 801.301. LICENSE TERM AND ~~[ANNUAL]~~ RENEWAL ~~[REQUIRED]~~.

8 (a) The board shall provide:

9           (1) that each type of license under this chapter is  
10 valid for a term of one year or two years; and

11           (2) for the ~~[annual]~~ renewal of a license.

12 (b) The board by rule may adopt a system under which  
13 licenses expire on various dates during the year.

14 (c) For a year in which the license expiration date is  
15 changed, the board shall prorate license fees ~~[payable on March 1~~  
16 ~~shall be prorated]~~ on a monthly basis so that each license holder  
17 pays only that portion of the fee that is allocable to the number of  
18 months during which the license is valid. On renewal of the license  
19 on the new expiration date, the total license renewal fee is  
20 payable.

21           SECTION 16. Section 801.306, Occupations Code, is amended  
22 to read as follows:

23           Sec. 801.306. INACTIVE STATUS. The board by rule may  
24 provide for the placement of a license holder on inactive status.  
25 The rules adopted under this section may not ~~[must]~~ include a limit  
26 on the time a license holder may remain on inactive status.

27           SECTION 17. Sections 801.307(b) and (c), Occupations Code,

1 are amended to read as follows:

2 (b) The board may:

3 (1) establish general categories of continuing  
4 education that meet the needs of license holders; ~~and~~

5 (2) require a license holder to successfully complete  
6 continuing education courses; and

7 (3) for a license valid for two years, provide a one  
8 year or two year period for the completion of continuing education.

9 (c) The board may require a license holder who does not  
10 complete the required number of hours of continuing education in a  
11 period ~~[year]~~ to make up the missed hours in a later period ~~[years]~~.  
12 Hours required to be made up in a later period ~~[year]~~ are in  
13 addition to the hours normally required to be completed in that  
14 period ~~[year]~~.

15 SECTION 18. Subchapter G, Chapter 801, Occupations Code, is  
16 amended by adding Section 801.309 to read as follows:

17 Sec. 801.309. CRIMINAL HISTORY RECORD INFORMATION  
18 REQUIREMENT FOR LICENSE RENEWAL. (a) An applicant renewing a  
19 license issued under this chapter shall submit a complete and  
20 legible set of fingerprints for purposes of performing a criminal  
21 history record information check of the applicant as provided by  
22 Section 801.267.

23 (b) The board may administratively suspend or refuse to  
24 renew the license of a person who does not comply with the  
25 requirement of Subsection (a).

26 (c) A license holder is not required to submit fingerprints  
27 under this section for the renewal of the license if the license

1 holder has previously submitted fingerprints under:

2 (1) Section 801.267 for the initial issuance of the  
3 license; or

4 (2) this section as part of a prior license renewal.

5 SECTION 19. The heading to Section 801.407, Occupations  
6 Code, is amended to read as follows:

7 Sec. 801.407. RIGHT TO HEARING[~~, SCHEDULE OF SANCTIONS~~].

8 SECTION 20. Section 801.407(c), Occupations Code, is  
9 amended to read as follows:

10 (c) The State Office of Administrative Hearings shall use  
11 the schedule of sanctions under Section 801.411 [~~adopted by board~~  
12 ~~rule~~] for any sanction imposed as the result of a hearing conducted  
13 by that office.

14 SECTION 21. Subchapter I, Chapter 801, Occupations Code, is  
15 amended by adding Section 801.411 to read as follows:

16 Sec. 801.411. SCHEDULE OF SANCTIONS. (a) The board by  
17 rule shall adopt a schedule of penalties, disciplinary actions, and  
18 other sanctions that the board may impose under this chapter.

19 (b) In adopting the schedule of sanctions under Subsection  
20 (a), the board shall ensure that the severity of the sanction  
21 imposed is appropriate to the type of violation or conduct that is  
22 the basis for disciplinary action. The schedule must provide that  
23 the type of disciplinary action or other sanction and the amount of  
24 a penalty imposed under this chapter must be based on:

25 (1) the seriousness of the violation, including:

26 (A) the nature, circumstances, extent, and  
27 gravity of any prohibited act; and

1                    (B) the hazard or potential hazard created to the  
2 health, safety, or economic welfare of the public;

3                    (2) the economic harm to property or the environment  
4 caused by the violation;

5                    (3) the history of previous violations;

6                    (4) the amount of penalty or type of disciplinary  
7 action or sanction necessary to deter a future violation;

8                    (5) efforts to correct the violation; and

9                    (6) any other matter that justice may require.

10                  SECTION 22. Sections 801.452(b) and (c), Occupations Code,  
11 are amended to read as follows:

12                  (b) The amount of the penalty shall be based on the schedule  
13 of sanctions adopted under Section 801.411[+]

14                    [~~(1) the seriousness of the violation, including:~~

15                    [~~(A) the nature, circumstances, extent, and~~  
16 ~~gravity of any prohibited act; and~~

17                    [~~(B) the hazard or potential hazard created to~~  
18 ~~the health, safety, or economic welfare of the public;~~

19                    [~~(2) the economic harm to property or the environment~~  
20 ~~caused by the violation;~~

21                    [~~(3) the history of previous violations;~~

22                    [~~(4) the amount necessary to deter a future violation;~~

23                    [~~(5) efforts to correct the violation; and~~

24                    [~~(6) any other matter that justice may require].~~

25                  (c) A committee described by Section 801.408(c) or (d) shall  
26 recommend the amount of the administrative penalty based on the  
27 schedule of sanctions adopted under Section 801.411 [~~a standardized~~



1 ~~penalty schedule. The board by rule shall develop the standardized~~  
2 ~~penalty schedule based on the criteria listed in Subsection (b)].~~

3 SECTION 23. Subchapter K, Chapter 801, Occupations Code, is  
4 amended by adding Section 801.5011 to read as follows:

5 Sec. 801.5011. MONITORING HARMFUL PRESCRIBING AND  
6 DISPENSING PATTERNS. (a) The board shall periodically check the  
7 prescribing and dispensing information submitted to the Texas State  
8 Board of Pharmacy as authorized by Section 481.076(a)(1), Health  
9 and Safety Code, to determine whether a veterinarian is engaging in  
10 potentially harmful prescribing or dispensing patterns or  
11 practices.

12 (b) The board, in coordination with the Texas State Board of  
13 Pharmacy, shall determine the conduct that constitutes a  
14 potentially harmful prescribing or dispensing pattern or practice  
15 for purposes of Subsection (a). In determining the conduct that  
16 constitutes a potentially harmful prescribing or dispensing  
17 pattern or practice, the board, at a minimum, shall consider:

18 (1) the number of times a veterinarian prescribes or  
19 dispenses:

- 20 (A) opioids;  
21 (B) benzodiazepines;  
22 (C) barbiturates; or  
23 (D) carisoprodol; and

24 (2) for prescriptions and dispensations described by  
25 Subdivision (1), patterns of prescribing or dispensing  
26 combinations of those drugs and other dangerous combinations of  
27 drugs identified by the board.

1       (c) If the board suspects that a veterinarian may be  
2 engaging in potentially harmful prescribing or dispensing patterns  
3 or practices, the board may notify the veterinarian of the  
4 potentially harmful prescribing or dispensing pattern or practice.

5       (d) The board may initiate a complaint against a  
6 veterinarian based on information obtained under this section.

7       SECTION 24. (a) For purposes of Section 801.003,  
8 Occupations Code, as amended by this Act, the Sunset Advisory  
9 Commission shall conduct a special-purpose review of the State  
10 Board of Veterinary Medical Examiners for the 87th Legislature.

11       (b) In conducting the special-purpose review under this  
12 section:

13           (1) the Sunset Advisory Commission staff evaluation  
14 and report must be limited to reviewing the effectiveness of  
15 recommendations made by the Sunset Advisory Commission to the 85th  
16 Legislature; and

17           (2) the Sunset Advisory Commission's recommendations  
18 to the 87th Legislature may include any recommendation the  
19 commission considers appropriate based on the special-purpose  
20 review.

21       SECTION 25. (a) The changes in law made by this Act to  
22 Section 801.051(a), Occupations Code, do not affect the entitlement  
23 of a member serving on the State Board of Veterinary Medical  
24 Examiners immediately before the effective date of this Act to  
25 continue to serve for the remainder of the member's term. As the  
26 terms of board members expire, the governor shall appoint or  
27 reappoint members who have the qualifications required for members

1 under Section 801.051, Occupations Code, as amended by this Act.

2 (b) In making appointments under Section 801.051(a),  
3 Occupations Code, as amended by this Act, the governor may not  
4 appoint a veterinarian member who is not described by Section  
5 801.051(a)(1)(A) or (B) unless one member described by Section  
6 801.051(a)(1)(A), one member described by Section  
7 801.051(a)(1)(B), and one member described by Section  
8 801.051(a)(2) have been appointed to or are serving on the State  
9 Board of Veterinary Medical Examiners. This subsection does not  
10 apply after the first date on which one member described by Section  
11 801.051(a)(1)(A), one member described by Section  
12 801.051(a)(1)(B), and one member described by Section  
13 801.051(a)(2) are serving on the board.

14 SECTION 26. (a) Except as provided by Subsection (b) of  
15 this section, Section 801.057, Occupations Code, as amended by this  
16 Act, applies to a member of the State Board of Veterinary Medical  
17 Examiners appointed before, on, or after the effective date of this  
18 Act.

19 (b) A member of the State Board of Veterinary Medical  
20 Examiners who, before the effective date of this Act, completed the  
21 training program required by Section 801.057, Occupations Code, as  
22 that law existed before the effective date of this Act, is only  
23 required to complete additional training on the subjects added by  
24 this Act to the training program required by Section 801.057,  
25 Occupations Code. A board member described by this subsection may  
26 not vote, deliberate, or be counted as a member in attendance at a  
27 meeting of the board held on or after December 1, 2017, until the

1 member completes the additional training.

2 SECTION 27. (a) The following changes in law apply only to  
3 a complaint filed with the State Board of Veterinary Medical  
4 Examiners on or after the effective date of this Act:

5 (1) Section 801.205, Occupations Code, as amended by  
6 this Act;

7 (2) Section 801.2055, Occupations Code, as amended by  
8 this Act;

9 (3) Section 801.207(b), Occupations Code, as amended  
10 by this Act, and Sections 801.207(c), (d), and (e), Occupations  
11 Code, as added by this Act;

12 (4) Section 801.208, Occupations Code, as added by  
13 this Act; and

14 (5) Section 801.209, Occupations Code, as added by  
15 this Act.

16 (b) A complaint filed before the effective date of this Act  
17 is governed by the law in effect on the date the complaint was  
18 filed, and the former law is continued in effect for that purpose.

19 SECTION 28. Sections 801.267 and 801.309, Occupations Code,  
20 as added by this Act, apply only to an application for the issuance  
21 or renewal of a license submitted to the State Board of Veterinary  
22 Medical Examiners on or after the effective date of this Act. An  
23 application submitted before the effective date of this Act is  
24 governed by the law in effect on the date the application was  
25 submitted, and the former law is continued in effect for that  
26 purpose.

27 SECTION 29. Sections 801.407(c) and 801.452(b) and (c),

1 Occupations Code, as amended by this Act, and Section 801.411,  
2 Occupations Code, as added by this Act, apply only to conduct that  
3 occurs on or after the date that rules under Section 801.411 become  
4 effective. Conduct that occurs before that date is governed by the  
5 law in effect immediately before the effective date of this Act, and  
6 the former law is continued in effect for that purpose.

7 SECTION 30. This Act takes effect September 1, 2017.

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Speaker of the House

I hereby certify that S.B. No. 319 passed the Senate on April 20, 2017, by the following vote: Yeas 31, Nays 0; May 25, 2017, Senate refused to concur in House amendments and requested appointment of Conference Committee; May 26, 2017, House granted request of the Senate; May 28, 2017, Senate adopted Conference Committee Report by the following vote: Yeas 31, Nays 0.

\_\_\_\_\_  
Secretary of the Senate

I hereby certify that S.B. No. 319 passed the House, with amendments, on May 18, 2017, by the following vote: Yeas 145, Nays 0, two present not voting; May 26, 2017, House granted request of the Senate for appointment of Conference Committee; May 27, 2017, House adopted Conference Committee Report by the following vote: Yeas 102, Nays 36, two present not voting.

\_\_\_\_\_  
Chief Clerk of the House

Approved:

\_\_\_\_\_  
Date

\_\_\_\_\_  
Governor