

1-1 By: Perry, Kolkhorst, Miles S.B. No. 721  
 1-2 (In the Senate - Filed February 2, 2017; February 21, 2017,  
 1-3 read first time and referred to Committee on Agriculture, Water &  
 1-4 Rural Affairs; March 14, 2017, reported favorably by the following  
 1-5 vote: Yeas 6, Nays 0; March 14, 2017, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9			X	
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			

1-15 A BILL TO BE ENTITLED  
 1-16 AN ACT

1-17 relating to treatment and care provided by licensed medical  
 1-18 professionals to animals in certain facilities.

1-19 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-20 SECTION 1. Section 801.004, Occupations Code, is amended to  
 1-21 read as follows:

1-22 Sec. 801.004. APPLICATION OF CHAPTER. This chapter does  
 1-23 not apply to:

1-24 (1) the treatment or care of an animal in any manner by  
 1-25 the owner of the animal, an employee of the owner, or a designated  
 1-26 caretaker of the animal, unless the ownership, employment, or  
 1-27 designation is established with the intent to violate this chapter;

1-28 (2) a person who performs an act prescribed by the  
 1-29 board as an accepted livestock management practice, including:

1-30 (A) castrating a male animal raised for human  
 1-31 consumption;

1-32 (B) docking or earmarking an animal raised for  
 1-33 human consumption;

1-34 (C) dehorning cattle;

1-35 (D) aiding in the nonsurgical birth process of a  
 1-36 large animal, as defined by board rule;

1-37 (E) treating an animal for disease prevention  
 1-38 with a nonprescription medicine or vaccine;

1-39 (F) branding or identifying an animal in any  
 1-40 manner;

1-41 (G) artificially inseminating an animal,  
 1-42 including training, inseminating, and compensating for services  
 1-43 related to artificial insemination; and

1-44 (H) shoeing a horse;

1-45 (3) the performance of a cosmetic or production  
 1-46 technique to reduce injury in poultry intended for human  
 1-47 consumption;

1-48 (4) the performance of a duty by a veterinarian's  
 1-49 employee if:

1-50 (A) the duty involves food production animals;

1-51 (B) the duty does not involve diagnosis,  
 1-52 prescription, or surgery;

1-53 (C) the employee is under the direction and  
 1-54 general supervision of the veterinarian; and

1-55 (D) the veterinarian is responsible for the  
 1-56 employee's performance;

1-57 (5) the performance of an act by a person who is a  
 1-58 full-time student of an accredited college of veterinary medicine  
 1-59 if the act is performed under the direct supervision of a  
 1-60 veterinarian;

1-61 (6) an animal shelter employee who performs euthanasia

2-1 in the course and scope of the person's employment if the person has  
2-2 successfully completed training in accordance with Chapter 829,  
2-3 Health and Safety Code;

2-4 (7) a person who is engaged in a recognized  
2-5 state-federal cooperative disease eradication or control program  
2-6 or an external parasite control program while the person is  
2-7 performing official duties required by the program;

2-8 (8) a person who, without expectation of compensation,  
2-9 provides emergency care in an emergency or disaster; [~~or~~]

2-10 (9) a consultation given to a veterinarian in this  
2-11 state by a person who:

2-12 (A) resides in another state; and

2-13 (B) is lawfully qualified to practice veterinary  
2-14 medicine under the laws of that state; or

2-15 (10) a licensed health care professional who, without  
2-16 expectation of compensation and under the direct supervision of a  
2-17 veterinarian, provides treatment or care to an animal owned by or in  
2-18 the possession, control, or custody of an entity accredited by the  
2-19 Association of Zoos and Aquariums.

2-20 SECTION 2. This Act takes effect immediately if it receives  
2-21 a vote of two-thirds of all the members elected to each house, as  
2-22 provided by Section 39, Article III, Texas Constitution. If this  
2-23 Act does not receive the vote necessary for immediate effect, this  
2-24 Act takes effect September 1, 2017.

2-25 \* \* \* \* \*