

By: Coleman

H.B. No. 2116

Substitute the following for H.B. No. 2116:

By: Marquez

C.S.H.B. No. 2116

A BILL TO BE ENTITLED

AN ACT

relating to standards of care for dogs and cats; creating an offense.

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

SECTION 1. Subchapter D, Chapter 821, Health and Safety Code, is amended by adding Section 821.082 to read as follows:

Sec. 821.082. ENCLOSURE OF DOGS AND CATS. (a) In this section:

(a) An owner may not place dogs or cats in a primary enclosure on top of another primary enclosure without an impervious barrier between the enclosures.

SECTION 2. Section 821.079 is applied should an owner violate section 821.082.

SECTION 3. STUDY OF STANDARDS OF CARE FOR DOGS AND CATS.

The executive commissioner shall conduct a study regarding the proper standards for care and confinement for dogs and cats to ensure the overall health and welfare of each dog or cat. Not later than August 31, 2012, the executive commissioner shall submit a report to the chairs of the appropriate legislative committees summarizing the findings of the study required by this section.

This subsection expires September 1, 2013. Rules may be adopted from recommendations of the study. A member of a club or an affiliate organization of a national kennel club whose mission is stated in the charter and bylaws to "advocate the purebred dog as a

1 family companion, advance canine health and well-being, work to
2 protect the rights of all dog owners and promote responsible dog
3 ownership" is exempt from rules that may be adopted.

4 SECTION 4. This Act takes effect immediately if it receives
5 a vote of two-thirds of all the members elected to each house, as
6 provided by Section 39, Article III, Texas Constitution. If this
7 Act does not receive the vote necessary for immediate effect, this
8 Act takes effect September 1, 2011.