



# RPOA Texas Outreach And Responsible Pet Owners Alliance



## POSITIONS ON BILLS FILED 2011 82nd Session of the Texas State Legislature

**Opposed Bills are to be killed as they are fundamentally flawed and cannot be fixed with amendments. HSUS, ASPCA, PETA and Texas Humane Legislation Network (THLN) do NOT speak for us!**

### **RPOA OPPOSES THESE BILLS AS TOP PRIORITY!**

\* **HB 1451 by Thompson** relating to the licensing and regulation of commercial dog and cat breeders.

<http://www.capitol.state.tx.us/tlodocs/82R/billtext/html/HB01451I.htm>

This bill is an HSUS national legislative agenda to stop all breeding of pets and does not address animal cruelty. This is not a commercial breeder bill as it regulates any breeder with more than 10 intact female dogs or cats. “You won’t know what’s in it until it passes” because the rules aren’t written yet.

[Committee Substitute](#)  
[Draft from Rep. Thompson on Bill Substitute](#)  
[Bill Analysis on the Substitute Bill](#)  
[Talking Points](#)  
[Licensing & Admin. Committee Members](#)  
[2nd Reading and Voting Record](#)  
[3rd Reading and Final Voting Record](#)

\* **HB 2116 by Coleman** relating to standards of care and confinement for dogs and cats.

<http://www.capitol.state.tx.us/tlodocs/82R/billtext/html/HB02116I.htm>

Condenses 9 pages of HB 1451 down to 2 pages on regulating dog and cat breeders.  
Bans all dog tethering; requires kennel size 150’ sq. ft. per dog over 6 months of age; dogs can’t be left outside in extreme weather below 32 degrees or during heat advisory, hurricane, tornado alerts but it’s “OK” for cats. Major change to Animal Cruelty Statute.

[Committee Substitute C.S.H.B. 2116 by Coleman](#)  
[Talking Points](#)

- \* **SB 1517 by Van de Putte** relating to sterilization of dogs and cats.  
<http://www.capitol.state.tx.us/tlodocs/82R/billtext/html/SB01517I.htm>  
 All dogs and cats over 6 months of age must be sterilized or purchase an annual \$50 Intact Animal Permit from local animal control authority. Impounded animals also.
  
- \* **SB 779 by Whitmire** relating to a central database containing information about certain persons who have been convicted of or received a grant of deferred adjudication for certain offenses involving animal cruelty.  
<http://www.legis.state.tx.us/tlodocs/82R/billtext/html/SB00779I.htm>  
 Creates a Texas “Pet Offender Registry” for Animal Cruelty (similar to a Sex Offender Registry for humans). This is an Animal Legal Defense Fund (ALDF) national campaign that seeks to change the legal status of animals from “property” to “personhood” in our legal system which would effectively end all animal use by humans for any reason. ALDF is an “animal rights” organization.
  
- \* **HJR 44 by Larson** proposing a constitutional amendment to allow the voters of certain counties to adopt a charter that restructures and empowers the county government and that may allow the integration of the county government with certain other political subdivisions located wholly or partly in the county.  
<http://www.capitol.state.tx.us/tlodocs/82R/billtext/html/HJ00044I.htm>  
 Would allow consolidation of certain counties and cities; all city animal ordinances such as pet limits and permits would apply countywide.
  
- \* **HB 431 by Larson** relating to the adoption of a county charter by Bexar County.  
<http://www.capitol.state.tx.us/tlodocs/82R/billtext/html/HB00431I.htm>  
 Would allow consolidation of city and county services in Bexar County.
  
- \* **HB 3622 by Anderson, Rodney** relating to liability for the death of a pet  
<http://www.capitol.state.tx.us/tlodocs/82R/billtext/html/HB03622I.htm>  
**and Companion Identical Bill SB 1500 by Watson**  
<http://www.capitol.state.tx.us/tlodocs/82R/billtext/html/SB01500I.htm>  
 Liability to the pet owner for damages but then includes noneconomic damages awarded for the loss of companionship or “society” of the pet. Another national Animal Legal Defense Fund (ALDF) agenda driven bill to remove animals from their “property” status and into “personhood.” ALDF is an “animal rights” organization.
  
- \* **HB 963 by Hartnett** relating to the costs associated with proceedings regarding cruelly treated animals.  
<http://www.capitol.state.tx.us/tlodocs/82R/billtext/html/HB00963I.htm>  
**and Companion Identical Bill SB 541 by Carona**  
<http://www.capitol.state.tx.us/tlodocs/82R/billtext/html/SB00541I.htm>

This is an attempt to make the appeals cost prohibitive and force the owner to relinquish ownership of his animals to shelters for resale. It is an attempt to prevent an appeal without changing the statute to not allow appeals.

\* **HB 998 by McClendon** relating to the civil liability of and insurance requirements for owners of certain dogs.

<http://www.capitol.state.tx.us/tlodocs/82R/billtext/html/HB00998I.htm>

Mandates civil liability and liability insurance requirements of at least \$100,000 for all breeds of dogs weighing 20 lbs or more. It requires that owners of these dogs must have them leashed at all times and kept in secure enclosures.

.....

**RPOA OPPOSES THESE BILLS**  
**AS TIME ALLOWS**

\* **HB 1389 by Hopson** relating to the criminal penalties for the owner of a dog that attacks another person.

<http://www.legis.state.tx.us/tlodocs/82R/billtext/html/HB01389I.htm>

Excessive penalties; existing law is adequate.

\* **HB 413 by Aycock** relating to the confidentiality of certain information held by a veterinarian.

<http://www.capitol.state.tx.us/tlodocs/82R/billtext/html/HB00413I.htm>

Veterinary records should be confidential unless there is a request from municipal governments about a dog or cat bite and Rabies Vaccinations, not released for general public health issues or ordinance. Our records shouldn't be used for city ordinance enforcement.

\* **HB 251 by Hilderbran** relating to regulation of dangerous wild animals

<http://www.legis.state.tx.us/tlodocs/82R/billtext/html/HB00251I.htm>

Wild animals listed include hybrids of species that are now domesticated cat breeds registered by The International Cat Association (TICA): Bengals, Savannahs, Chausies and other breeds. Must be registered, 5 miles from a school, church or day care; two or more acres for each animal registered; carry Liability Insurance. Registration Fee charged cannot exceed \$500 for each animal.

\* **HB 3415 by Darby** relating to the authority of Texas Animal Health Commission to set and collect fees.

<http://www.capitol.state.tx.us/tlodocs/82R/billtext/html/HB03415I.htm> \*

**and similar bill:**

\* **HB 3418 by Darby** relating to state fiscal matters related to natural resources and the environment.

<http://www.capitol.state.tx.us/tlodocs/82R/billtext/html/HB03418I.htm>

.....

**RPOA SUPPORTS THESE BILLS**

\* **SB 275 by Uresti** relating to certain exceptions to the prohibition on hunting from a public road or right-of-way.

<http://www.capitol.state.tx.us/tlodocs/82R/billtext/html/SB00275I.htm>

Amends existing law which had unintended consequences on herpetologists and their hobby “herping” and making it illegal to assist any animal crossing the road or picking it up for veterinary treatment if needed.

\* **HB 2833 by White** relating to classification and care of working dogs.  
<http://www.capitol.state.tx.us/tlodocs/82R/billtext/html/HB02833I.htm>

\* **HB 3486 by Taylor of Collin** relating to municipal regulation of dogs used for search and rescue or law enforcement purposes.  
<http://www.capitol.state.tx.us/tlodocs/82R/billtext/html/HB03486I.htm>

\* **HB 1788 by Farias** relating to capturing reptiles and amphibians by nonlethal means.  
<http://www.capitol.state.tx.us/tlodocs/82R/billtext/html/HB01788I.htm>  
Person must possess an annual reptile and amphibian stamp issued to the person by the department in addition to possessing a hunting license.

\* **SB 279 by Davis (Wendy)** relating to inclusion of pets and other companion animals in protective orders.  
<http://www.capitol.state.tx.us/tlodocs/82R/billtext/html/SB00279I.htm>  
**and Companion Identical Bill HB 323 by Laubenberg**  
<http://www.capitol.state.tx.us/tlodocs/82R/billtext/html/HB00323I.htm>

\* **HB 1102 by Lucio III** relating to the penalty for theft of a pet.  
<http://www.capitol.state.tx.us/tlodocs/82R/billtext/html/HB01102I.htm>

\* **HB 1768 by Munoz, Jr.** relating to the regulation of roadside vendors and solicitors in certain counties.  
<http://www.capitol.state.tx.us/tlodocs/82R/billtext/html/HB01768I.htm>

.....

**THESE ANIMAL BILLS FOR INFORMATION ONLY, NO ACTION**

\* **SB 1850 by Van de Putte** relating to appeals regarding cruelly treated animals.  
<http://www.capitol.state.tx.us/tlodocs/82R/billtext/html/SB01850I.htm>

\* **HB 3450 by Farrar** relating to restrictions on operations of public and private animal shelters.  
<http://www.capitol.state.tx.us/tlodocs/82R/billtext/html/HB03450I.htm>

“Model” Bill written by Nathan Winograd, founder of No Kill Movement. Allows any public or private sheltering agency or rescue group to sue another similar group to compel compliance with this Act. This bill contains excessive mandates that could have unintended consequences.

\* **HB 1103 by Lucio III** relating to payment of a fee as a required condition of community supervision for certain criminal offenses involving animal cruelty.  
<http://www.capitol.state.tx.us/tlodocs/82R/billtext/html/HB01103I.htm>  
Payment of a \$100 fee to a local animal shelter as a required condition of community supervision.

\* **SB 958 by Wentworth** relating to the regulation of dangerous wild animals.  
<http://www.capitol.state.tx.us/tlodocs/82R/billtext/html/SB00958I.htm>  
**and Companion Identical Bill HB 1546 by Larson**  
<http://www.capitol.state.tx.us/tlodocs/82R/billtext/html/HB01546I.htm>

\* **HB 1043 by Christian** relating to creating an offense for engaging in certain conduct relating to cockfighting and to criminal and civil consequences of committing that offense.

<http://www.capitol.state.tx.us/tlodocs/82R/billtext/html/HB01043I.htm>  
**and Companion Identical Bill SB 939 by Lucio**  
<http://www.capitol.state.tx.us/tlodocs/82R/billtext/html/SB00939I.htm>

\* **HB 1919 by Price** relating to a defense to prosecution for the offense of cruelty to nonlivestock animals under certain circumstances.

<http://www.capitol.state.tx.us/tlodocs/82R/billtext/html/HB01919I.htm>

\* **HB 3487 by Taylor of Collin** relating to regulations concerning certain service animals.

<http://www.capitol.state.tx.us/tlodocs/82R/billtext/html/HB03487I.htm>

\* **HB 3044 by Eissler** relating to regulation of certain activities on a public highway or road, right-of-way of a public highway or road, or a parking lot.

<http://www.capitol.state.tx.us/tlodocs/82R/billtext/html/HB03044I.htm>

\* **HB 3485 by Taylor of Collin** relating to use of human remains for training search and rescue animals.

<http://www.capitol.state.tx.us/tlodocs/82R/billtext/html/HB03485I.htm>

\* **HB 3264 by Miller of Erath** relating to limiting liability of certain persons for farm animal activities.

<http://www.capitol.state.tx.us/tlodocs/82R/billtext/html/HB03264I.htm>