

**BILL ANALYSIS**

C.S.H.B. 2309  
By: Metcalf  
County Affairs  
Committee Report (Substituted)

**BACKGROUND AND PURPOSE**

Interested parties have expressed concerns about the roadside sale of dogs and cats in the unincorporated area of certain counties, especially with regard to the well-being of such animals and the related traffic problems and public safety risks these sales pose. C.S.H.B. 2309 seeks to address this issue.

**CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

**RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

**ANALYSIS**

C.S.H.B. 2309 amends the Transportation Code to authorize the commissioners court of a county with a population of more than 425,000 and less than 500,000 by order to regulate the sale of dogs or cats by a vendor that occurs in the unincorporated area of the county and on a public highway or road, in the right-of-way of a public highway or road, or in a parking lot.

**EFFECTIVE DATE**

September 1, 2015.

**COMPARISON OF ORIGINAL AND SUBSTITUTE**

While C.S.H.B. 2309 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and formatted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill.

INTRODUCED	HOUSE COMMITTEE SUBSTITUTE
SECTION 1. Section 285.001(a), Transportation Code, is amended to read as follows: (a) To promote the public safety, the commissioners court of a county [ <del>with a population of more than 1.3 million</del> ] by order may regulate the following in the	No equivalent provision. <i>(But see SECTION 1 below.)</i>

unincorporated area of the county if they occur on a public highway or road, in the right-of-way of a public highway or road, or in a parking lot:

- (1) the sale of items by a vendor of food or merchandise, including live animals;
- (2) the erection, maintenance, or placement of a structure by a vendor of food or merchandise, including live animals; and
- (3) the solicitation of money.

No equivalent provision. *(But see SECTION 1 above.)*

SECTION 1. Section 285.001, Transportation Code, is amended by adding Subsection (d) to read as follows:

(d) The commissioners court of a county with a population of more than 425,000 and less than 500,000 by order may regulate the sale of dogs or cats by a vendor that occurs in the unincorporated area of the county and:

- (1) on a public highway or road;
- (2) in the right-of-way of a public highway or road; or
- (3) in a parking lot.

SECTION 2. This Act takes effect September 1, 2015.

SECTION 2. Same as introduced version.