

SUBJECT: Requirements for animal control officer training

COMMITTEE: Government Reform — favorable, without amendment

VOTE: 5 ayes — Callegari, Pitts, Berman, Leibowitz, W. Smith

0 nays

2 absent — Miles, Rodriguez

SENATE VOTE: On final passage, May 4 — 31-0

WITNESSES: (*On House companion, HB 633:*)

For — Clarence Anderson; Jerry Blaisdell, City of Weatherford; Russ Bradis; Pam Burney, American Society for the Prevention of Cruelty to Animals/Texas Animal Control Association; Keane Menefee, Texas Animal Control Association; Jay Sabatucci, Texas Animal Control Association; Alan Spence, Texas Academy of Animal Control Officers; Ethel Spence, City of Giddings - Animal Control (*Registered, but did not testify*); Dianne Daniel, City of Azle - Animal Control; Russell DiBenedetto; Patricia M. Nordyke, Texas Federation of Human Societies)

Against — Frank Montes; Dwain White

On — Tom Sidwa, Texas Department of State Health Services

BACKGROUND: The Texas Department of State Health Services (DSHS) oversees eight health service regions, each with a zoonosis control office. The department facilitates a voluntary animal control officer training program, carried out at zoonosis control offices.

DIGEST: SB 1562 would establish requirements for animal control officer training. An animal control officer would be employed, appointed, or primarily engaged to enforce laws on animal control and would not qualify as a peace officer. Although DSHS would carry out the proposed requirements, the department could designate outside entities to perform certain provisions.

A person would not be able to act as an animal control officer unless the person completed:

- a basic animal control course within the first year of assuming duties or a personnel training course (sec. 823.004, Health and Safety Code) by June 30, 2008; and
- 30 hours of continuing education during each three-year period after completing other required courses.

DSHS would develop the curriculum, facilitate the education courses, and establish certain requirements for course completion. The Texas Animal Control Association and other relevant organizations would be consulted during curriculum development. The curriculum for the basic and continuing education courses would include:

- state laws on animal control and protection and animal cruelty;
- animal health and disease recognition, control, and prevention;
- humane care and treatment of animals;
- standards for care and control of animals in a shelter;
- animal shelter operations and administration;
- spaying, neutering, micro-chipping, and adoption of animals;
- standards for transporting animals;
- principles and procedures for capturing and handling stray animals;
- first aid for injured animals;
- documentation of animal cruelty evidence and court procedures;
- communications and public relations;
- laws for possession of controlled substances and other medications;
- and
- other pertinent topics.

Each year, DSHS would offer at least two basic animal control courses and at least 12 hours of continuing education animal control services in each zoonosis control region. The department would ensure that an individual attended all course sessions and fulfilled course requirements. Fees would be charged to cover the cost of conducting an animal control course.

The department would maintain training records for each individual who completed a course under the bill and would ensure that individuals complied with the proposed requirements. A certification would be issued

to each person who completed a course, with a fee charged to cover the cost of issuing such a certificate.

An animal shelter and a quarantine or impoundment facility would be required to comply with animal control officer training, as stipulated in the bill. These facilities would receive a certificate to demonstrate compliance.

An individual could sue for injunctive relief to prevent or restrain a violation of this legislation.

The bill would take effect on September 1, 2007. The Department of State Health Services would prescribe the standards and curriculum outlined in the bill by December 1, 2007. Education and training courses would be required by July 1, 2008.

**SUPPORTERS
SAY:**

Animal control training currently is not required by the state of Texas, and SB 1562 would establish needed training requirements. No incentive exists for an individual employed in animal control to attend voluntary training. Some people engaged in animal control are unfamiliar with state and federal laws and have been known to mistreat animals and illegally carry drugs. Such problems would be reduced by mandating officer training, as stipulated in the bill. Moreover, the establishment of animal control officer training would reduce local governments' liability with respect to animal control problems.

In order to comply with current laws, animal control officers need to know what exactly the law entails. Such officers must be educated on how to deal with the public, prepare charges, and testify in court. Training for animal control officers is affordable and would ensure that officers were well prepared to deal with issues of concern.

**OPPONENTS
SAY:**

This bill represents an unfunded mandate. More information is needed on the cost of training and how training costs would be funded.