

SUBJECT: Exempting dogs guarding livestock herds from city leash laws

COMMITTEE: Agriculture and Livestock — favorable without amendment

VOTE: 9 ayes — Gonzalez Toureilles, Anderson, B. Brown, Crabb, Hardcastle, Heflin, Kleinschmidt, Rios Ybarra, Swinford
0 nays

WITNESSES: For — Bob Turner, Texas Sheep and Goat Raisers Association;
(*Registered, but did not testify:* Ken Hughes, Texas Farm Bureau; Jason Skaggs, Texas and Southwestern Cattle Raisers Association)

Against — None

BACKGROUND: Agriculture Code, sec. 251.005 limits the applicability of city ordinances to existing agricultural operations annexed or otherwise brought into the corporate limits of the municipality, unless the city's governing body makes a determination that the requirements are necessary to protect public health and safety.

DIGEST: HB 205 would amend Agriculture Code, sec. 251.005 to prevent a city from enforcing a leash law requiring the restraint of dogs for any dogs used to protect livestock on property controlled by the property owner.

The bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2009.

SUPPORTERS SAY: HB 205 would add a limited exception to city leash laws for dogs being used to protect livestock. Expansion of municipalities into rural areas can bring thriving livestock operations within city limits and make them subject to city leash laws. Ranchers use breeds such as Great Pyrenees to guard goats, and border collies and Australian Cattle Dogs to herd sheep and cattle. These animals are working dogs, not pets. Requiring restraints would negate their duties as guard or herd dogs.

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OPPONENTS
SAY:

HB 205 should require that the exemption from municipal leash laws apply only to dogs actually engaged in guard or herding operations to limit more narrowly this state-mandated exception to local city ordinances.

NOTES:

Rep. Aycock is expected to offer an amendment that would require that dogs be on the land for the purpose of herding or guarding livestock to qualify for an exemption from city leash laws.