

BILL ANALYSIS

Senate Research Center
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S.B. 1901
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Natural Resources
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As Filed

DIGEST

Currently, certain cows that have gone astray are posing a cost burden on certain county sheriffs. For example, in order to dispose of an impounded cow, a sheriff spent funds to place an advertisement and subsequently attempted to sell it at auction. S.B. 1901 would regulate the disposition or sale of impounded estrays by a county.

PURPOSE

As proposed, S.B. 1901 regulates the disposition or sale of impounded estrays by a county.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends the heading for Section 142.013, Agriculture Code, as follows:

Sec. 142.013. New heading: DISPOSITION OR SALE OF IMPOUNDED ESTRAYS.

SECTION 2. Amends Section 142.013, Agriculture Code, by amending Subsection (a), and adding Subsection (e), to require the sheriff, except as provided by Subsection (e), to cause an estray to be sold at a sheriff's sale or public auction licensed by the United States Department of Agriculture under certain conditions. Provides that title to the estray is considered vested in the sheriff or the sheriff's designee for purposes of passing good title, free and clear of all claims, to the purchaser at the sale or for the purposes of Subsection (e). Authorizes the sheriff, instead of selling the estray, to donate the estray to a nonprofit organization or retain the estray and use it for county purposes, if a sheriff determines that the sale of an estray under this section is unlikely to generate sufficient proceeds to cover the expense of the sale.

SECTION 3. Effective date: September 1, 1999.

SECTION 4. Emergency clause.