

BILL ANALYSIS

Senate Research Center
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S.B. 572
By: Harris
Health & Human Services
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DIGEST AND PURPOSE

As proposed, S.B. 572 regulates the manner in which animal shelters in Texas euthanize animals in their care; requires the Texas Board of Health to set requirements for the use of commercially compressed carbon monoxide; requires the successful completion of a training course in euthanizing animals; and provides that a violation of these guidelines is a Class B misdemeanor and allows a court to prohibit by injunction any violation of this law.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the Texas Board of Health in SECTION 1 (Section 821.053 and Section 821.054, Health and Safety Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 821, Health and Safety Code, by adding Subchapter C, as follows:
SUBCHAPTER C. EUTHANASIA OF ANIMALS

Sec. 821.051. DEFINITIONS. Defines “animal,” “animal shelter,” “board,” and “department.”

Sec. 821.052. METHODS OF EUTHANASIA. (a) Authorizes a person to euthanize a dog or cat in the custody of an animal shelter only by administering sodium pentobarbital or commercially compressed carbon monoxide.

(b) Authorizes a person to euthanize all other animals in the custody of an animal shelter, including birds and reptiles, only in accordance with the applicable methods, recommendations, and procedures set forth in the 2000 Report of the American Veterinary Medical Association Panel on Euthanasia as modified or superseded by a subsequent report of the American Veterinary Medical Association Panel on Euthanasia that is approved by the Texas Board of Health (board).

Sec. 821.053. REQUIREMENTS FOR USE OF SODIUM PENTOBARBITAL. (a) Requires the board by rule to establish the requirements and procedures for administering sodium pentobarbital to euthanize an animal in the custody of an animal shelter.

(b) Authorizes a person to administer sodium pentobarbital to euthanize an animal in the custody of an animal shelter only in accordance with the requirements and procedures established by board rule.

Sec. 821.054. REQUIREMENTS FOR USE OF COMMERCIALY COMPRESSED CARBON MONOXIDE. (a) Requires the board by rule to establish certain standards and requirements.

(b) Authorizes a person administering commercially compressed carbon monoxide to

euthanize an animal in the custody of an animal shelter to use only a carbon monoxide chamber that meets the standards established by board rule and to administer the commercially compressed carbon monoxide only in accordance with the requirements and procedures established by board rule.

Sec. 821.055. TRAINING FOR EUTHANASIA TECHNICIANS. (a) Prohibits a person from euthanizing an animal in the custody of an animal shelter unless the person has successfully completed, not more than three years before the date the person euthanizes the animal, a training course in the proper methods and techniques for euthanizing animals. Requires the training course curriculum to include certain guidelines.

(b) Requires the department to approve the sponsors and curriculum of the training course required by this section.

(c) Provides that this section does not apply to a person licensed to practice veterinary medicine in this state.

Sec. 821.056. OFFENSE AND PENALTY. (a) Provides that a person commits an offense if the person violates this subchapter or a board rule adopted under this subchapter.

(b) Provides that an offense under this section is a Class B misdemeanor.

Sec. 821.057. INJUNCTION. Authorizes a court of competent jurisdiction, on the petition of any person, to prohibit by injunction the substantial violation of this subchapter or a board rule adopted under this subchapter.

SECTION 2. Repealer: Section 823.006 (Prohibited Methods of Death), Health and Safety Code.

SECTION 3. Requires the Texas Board of Health to adopt the rules required by Sections 821.053 and 821.054, Health and Safety Code, as added by this Act, not later than June 1, 2004.

SECTION 4. Requires the Texas Department of Health to develop procedures to approve the sponsors and curriculum for the training course required by Section 821.055, Health and Safety Code, as added by this Act, not later than June 1, 2004.

SECTION 5. (a) Provides that the change in law made by the repeal of Section 823.006, Health and Safety Code, is prospective. Provides that for purposes of this section, an offense is committed before September 1, 2003, if any element of the offense occurs before that date.

(b) Makes application of this Act prospective.

SECTION 6. Effective date: September 1, 2003, except that Sections 821.053, 821.054, and 821.055, Health and Safety Code, as added by this Act, take effect January 1, 2005.