

BILL ANALYSIS

Senate Research Center

H.B. 234
By: Farrar et al. (Menéndez)
Criminal Justice
5/22/2015
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

H.B. 234 amends current law relating to certain costs associated with certain court proceedings for cruelly treated animals and authorizes fees and costs.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 821.023(e), Health and Safety Code, as follows:

(e) Authorizes the court after a court finds that an animal's owner has cruelly treated the animal, if the court has jurisdiction over a county or municipality with a population of at least 700,000, to order the owner to pay the county's or municipality's reasonable attorney's fees, and to order the owner to pay all court costs, including certain costs as set forth.

SECTION 2. Amends Section 821.025, Health and Safety Code, by adding Subsection (i), as follows:

(i) Authorizes a county court or county court at law with jurisdiction over a county or municipality with a population of at least 700,000 after the court finds that an animal's owner has cruelly treated the animal, to order the owner to pay the county's or municipality's reasonable attorney's fees and court costs, including the costs of investigation and expert witnesses.

SECTION 3. Amends Section 103.0214, Government Code, as follows:

Sec. 103.0214. ADDITIONAL FEES AND COSTS IN CRIMINAL OR CIVIL CASES: HEALTH AND SAFETY CODE. Requires an accused or defendant, or a party to a civil suit, as applicable, to pay the following fees and costs under the Health and Safety Code if ordered by the court or otherwise required:

(1) Makes no change to this subdivision;

(2) on a finding that an animal's owner has cruelly treated the animal, court costs including:

(A) and (B) Adds references to Section 821.025, Health and Safety Code, and makes nonsubstantive changes;

(C) Makes no change to this subdivision;

(D) and (E) Makes nonsubstantive changes;

(F) reasonable attorney's fees (Sections 821.023 (Hearing; Order of Disposition or Return of Animal) and 821.025 (Appeal), Health and Safety Code) . . . actual costs.

SECTION 4. Provides that the change in law made by this Act applies only to a proceeding commenced under Section 821.023 or 821.025, Health and Safety Code, on or after the effective date of this Act. Provides that a proceeding commenced before the effective date of this Act is governed by the law as it existed at the time the proceeding was commenced, and the former law is continued in effect for that purpose.

SECTION 5. Effective date: September 1, 2015.