

## **BILL ANALYSIS**

Senate Research Center  
87R22024 KKR-D

H.B. 3340  
By: Swanson (Bettencourt)  
Local Government  
5/20/2021  
Engrossed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

State law allows for the appeal of a court's determination that a dog is dangerous. However, concerns have been raised that a dog can be destroyed before a person has the time and opportunity to appeal the court's decision. H.B. 3340 seeks to ensure that an owner whose dog is ordered to be destroyed is given the opportunity to fully exercise his or her right to file an appeal.

H.B. 3340 amends current law relating to the appeal of certain orders regarding dangerous dogs.

### **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 822.042, Health and Safety Code, by amending Subsection (e) and adding Subsection (e-1), as follows:

(e) Provides that Subsection (e) is subject to Subsection (e-1).

Deletes existing text providing that, notwithstanding any other law or local regulation, the court is prohibiting from ordering the destruction of a dog during the pendency of an appeal under Section 822.0424 (Appeal).

(e-1) Provides that, notwithstanding any other law or local regulation:

(1) any order to destroy a dog is stayed for a period of 10 calendar days from the date the order is issued, during which period the dog's owner may file a notice of appeal; and

(2) a court, including a justice court, is prohibiting from ordering the destruction of a dog during the pendency of an appeal under Section 822.0424.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 2021.