

## **BILL ANALYSIS**

Senate Research Center  
80R14605 YDB-F

H.B. 1728  
By: Harper-Brown (Harris)  
State Affairs  
5/15/2007  
Engrossed

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

The 76<sup>th</sup> Legislature, Regular Session, 1999, added statutes to the Health and Safety Code to limit disclosure of certain information contained in a rabies vaccination certificate or in a municipal or county registry of dogs and cats. The restriction allowed that information to be disclosed only to a governmental entity for purposes related to the protection of public health and safety.

Numerous municipalities and counties find it more efficient and more economical to hire third party vendors to provide animal control services and animal registration services for those governmental entities and those third party vendors who need the rabies vaccination and pet registration information to perform their duties under their contracts with those municipalities and counties. In 2005, the Texas attorney general ruled in opinion No. GA-0367 that municipalities and counties could not disclose to third party vendors the information contained in rabies vaccination certificates or in municipal or county registries of dogs and cats since third party vendors are not governmental entities.

H.B. 1728 authorizes governmental entities to contract with a third party vendor when providing animal registration services for that entity and to disclose certain information to such third party vendors.

### **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 Sections 826.0211(a) and (b), Health and Safety Code, as follows:

- (a) Prohibits the information contained in a rabies vaccination certificate or record from including the Social Security number or the driver's license number of the owner of the vaccinated animal.
- (b) Authorizes the information to be disclosed only to a governmental entity or a person that, under a contract with a governmental entity, provides animal control services or animal registration services for the governmental entity. Makes a conforming change.

SECTION 2. Amends Section 826.0311(a) and (b), Health and Safety Code, as follows:

- (a) Prohibits the information contained in a municipal or county registry of dogs and cats from including the Social Security number or the driver's license number of the owner of the registered animal.
- (b) Authorizes the information to be disclosed only to a governmental entity or a person that, under a contract with a governmental entity, provides animal control services or animal registration services for the governmental entity. Makes a conforming change.

SECTION 3. Makes application of Sections 826.0211(a) and 826.0311(a), Health and Safety Code, as amended by this Act, prospective.

SECTION 4. Effective date: upon passage or September 1, 2007.