

**BILL ANALYSIS**

Senate Research Center  
80R614 MSE-D

S.B. 1562  
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S/C on Ag., Rural Affairs & Coastal Resources  
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As Filed

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

It is important to ensure quality training for professionals who are responsible for protecting Texas residents from disease or injury caused by animals. It is necessary to provide the incentives for animal welfare professionals to continue their education so that they are better prepared to do their job.

As proposed, S.B. 1562 prohibits a person from performing the duties of an animal control officer on behalf of a county or municipality unless the person completes a basic animal control course by a certain date. The bill requires the Department of State Health Services (DSHS) to prescribe the standards and curriculum for basic and continuing education animal control courses, and authorizes DSHS and any authorized animal control course sponsor to charge reasonable fees to cover the cost of arranging and conducting an animal control course.

**RULEMAKING AUTHORITY**

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

**SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Title 10, Health and Safety Code, by adding Chapter 829, as follows:

CHAPTER 829. ANIMAL CONTROL OFFICER TRAINING

Sec. 829.001. DEFINITIONS. Defines "animal control officer" and "department."

Sec. 829.002. TRAINING REQUIRED. (a) Prohibits a person from performing the duties of an animal control officer on behalf of a county or municipality unless the person completes a basic animal control course under this chapter not later than the 120th day after the person assumes animal control duties, or completed a personnel training course on or before June 30, 2008, under Section 823.004, Health and Safety Code, as it existed on that date, and the person completes 30 hours of continuing education under this chapter during each three-year period following the date the person either completed the basic animal control course or June 30, 2008, if the person completed a personal training course on or before that date.

(b) Prohibits a county or municipality, or a person acting on behalf of a county or municipality from knowingly employing, appointing, or otherwise engaging a person as an animal control officer if the person does not meet the requirements of Subsection (a) (requirements).

(c) Requires a county or municipality, or a person acting on behalf of a county or municipality to terminate the service of a person as an animal control officer if the person does not meet the requirements.

Sec. 829.003. TRAINING COURSES. (a) Requires the Department of State Health Services (DSHS) to prescribe the standards and curriculum for basic and continuing education animal control courses. Requires both the basic and continuing education courses to include certain topics.

(b) Requires DSHS in prescribing standards and curriculum of courses under this chapter to determine what is considered satisfactory completion of a course; determine what is considered a passing grade on any postcourse tests and practical applications; and require that a person attend all sessions of a course.

(c) Requires that a basic control course be at least 12 hours.

(d) Requires DSHS, in developing and approving the criteria and curriculum for animal control courses, to consult with the Texas Animal Control Association and other animal control and animal protection organization as DSHS considers appropriate.

Sec. 829.004. AVAILABILITY OF COURSES. (a) Requires DSHS to offer at least one basic animal control course every calendar quarter in each of its zoonosis control regions.

(b) Requires DSHS to offer at least 12 hours of continuing education animal control courses each calendar year in each of its zoonosis control regions.

(c) Requires DSHS to ensure the additional availability of animal control courses through sponsors approved by DSHS, which may include certain associations, and the Humane Society of the United States.

Sec. 829.005. FEE. Authorizes DSHS and any authorized animal control course sponsor to charge reasonable fees to cover the cost of arranging and conducting an animal control course.

Sec. 829.006. ISSUANCE OF CERTIFICATE. (a) Requires DSHS to maintain the training records for each person satisfactorily completing any course offered under this chapter for the purpose of documenting and ensuring that the person is in compliance with the requirements of this chapter, and issue a certificate to each person satisfactorily completing a course offered under this chapter that contains certain information, including the person's name, the name of the course, and the date the course was completed.

(b) Requires DSHS to charge a reasonable fee to cover the cost of issuing a certificate required by Subsection (a).

Sec. 829.007. CRIMINAL PENALTY. (a) Provides that a person commits an offense if the person violates Section 829.002(a).

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

Sec. 829.008. CIVIL REMEDY. Authorizes a person to sue for injunctive relief to prevent or restrain a substantial violation of this chapter.

SECTION 2. Amends Section 801.004, Occupations Code, as follows:

Sec. 801.004. APPLICATION OF CHAPTER. Makes a conforming change regarding when this chapter does not apply.

SECTION 3. Repealer, effective July 1, 2008: Section 823.004 (Personal Training), Health and Safety Code.

SECTION 4. Requires the DSHS, not later than December 1, 2007, to prescribe the standards and curriculum to be used in an animal control course required under Chapter 829, Health and Safety Code, as added by this Act.

SECTION 5. (a) Provides that except as provided by Subsection (b) of this section, this Act takes effect September 1, 2007.

(b) Provides that Sections 829.002, 829.007, and 829.008, Health and Safety Code, as added by this Act, take effect July 1, 2008.