

BILL ANALYSIS

Senate Research Center

S.J.R. 32
By: Birdwell; Nelson
Criminal Justice
6/11/2019
Enrolled

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Currently, under Section 263.152, Local Government Code, a county K-9 used for law enforcement purposes is treated as salvage or surplus property by the county. The code states that the county can only auction, donate, or destroy surplus or salvage property. Due to the fact that most county-owned K-9s are trained to work with their handler, the options laid out by statute make it difficult to retire the dog when their handler leaves or retires. S.J.R. 32 would amend the constitution to allow the county law enforcement's dog to be transferred to the dog's handler at the time of the dog's retirement. (Original Author's/Sponsor's Statement of Intent)

S.J.R. 32 proposes a constitutional amendment to allow the transfer of a law enforcement animal to a qualified caretaker in certain circumstances.

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 Article III, Texas Constitution, by adding Section 521, as follows:

Sec. 521. Authorizes the legislature to authorize a state agency or a county, a municipality, or other political subdivision to transfer a law enforcement dog, horse, or other animal to the animal's handler or another qualified caretaker for no consideration on the animal's retirement or at another time if the transfer is in the animal's best interest.

SECTION 2. Requires that the proposed constitutional amendment be submitted to the voters at an election to be held November 5, 2019. Sets forth the required language of the ballot.