

ONE PAGE SUMMARY OF HB 849 AND HB 1274

- Current Texas law allows veterinarians and shelter employees to provide necessary low-cost vaccines and healthcare to animals under the so-called “owner exemption” to the Texas Occupations Code.
 - The “owner exemption” allows the provision of medical care to animals by owners of animals, employees of owners, or designated caretakers of animals.
 - The “owner exemption” is a common law in the United States, is found in the model veterinary practice act, and is understood to exclude animal shelters from expensive regulatory burdens imposed on private veterinary hospitals. These regulations (for example, the requirement that veterinary care be provided only by a veterinarian or an employee of a veterinarian) do not make sense in the shelter environment where “herd health” practices are implemented and all of the animals are owned by the shelter and cared for by shelter employees and volunteers at the direction of the shelter/owner.
 - The “owner exemption” is similar to the “Ag exemption” that allows farms and ranches to treat large numbers of animals in a cost effective manner.
- The “owner exemption” does not prevent the enforcement of other laws pertaining to animals, shelters, and controlled substances. As a result, animal-cruelty laws, shelter standards, and pharmaceutical laws remain in force and effect in the shelter environment.
- The Texas Board of Veterinary Medical Examiners (TBVME), a state agency, wants to dramatically increase regulations and regulatory burdens on shelters, their employees, and veterinarians by overturning the “owner exemption” and thereby burdening shelters with costly and illogical private-practice rules and regulations that do not make sense in the shelter environment. This would add a tremendous administrative burden to shelters that are often underfunded and operate with limited resources.
- Two pending bills relate to this issue:
 - Representative Eddie Rodriguez’s bill (HB859) largely confirms the status quo, allowing shelters to provide necessary care to animals under the supervision of or protocol written by a licensed veterinarian.
 - Representative Larson’s bill (HB1274) overturns the “owner exemption” for shelters, thereby imposing on shelters a dramatic expansion of bureaucratic regulations that do not make sense in a shelter setting.
 - HB 1274 has tremendous negative unintended consequences that would require a shelter to either (1) increase costs dramatically; (2) euthanize hundreds or thousands of additional animals; or (3) leave animals to suffer in shelters without medical treatment during their shelter stay.
 - If an animal were impounded after being injured, HB 1274 would prohibit a shelter from treating the animal during the hold period, effectively mandating animal cruelty.
 - HB 1274 in its current form would impose a massive unfunded mandate on local governments that, under local control, wish to save rather than euthanize impounded animals.