

By: Rodriguez of Travis

H.B. No. 859

A BILL TO BE ENTITLED

AN ACT

relating to an exemption from the veterinary licensing law for certain persons who provide services to an animal shelter.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 801.004, Occupations Code, is amended to read as follows:

Sec. 801.004. APPLICATION OF CHAPTER. This chapter does not apply to:

(1) the treatment or care of an animal in any manner by the owner of the animal, an employee of the owner, or a designated caretaker of the animal, unless the ownership, employment, or designation is established with the intent to violate this chapter;

(2) a person who performs an act prescribed by the board as an accepted livestock management practice, including:

(A) castrating a male animal raised for human consumption;

(B) docking or earmarking an animal raised for human consumption;

(C) dehorning cattle;

(D) aiding in the nonsurgical birth process of a large animal, as defined by board rule;

(E) treating an animal for disease prevention with a nonprescription medicine or vaccine;

(F) branding or identifying an animal in any

1 manner;

2 (G) artificially inseminating an animal,  
3 including training, inseminating, and compensating for services  
4 related to artificial insemination; and

5 (H) shoeing a horse;

6 (3) the performance of a cosmetic or production  
7 technique to reduce injury in poultry intended for human  
8 consumption;

9 (4) the performance of a duty by a veterinarian's  
10 employee if:

11 (A) the duty involves food production animals;

12 (B) the duty does not involve diagnosis,  
13 prescription, or surgery;

14 (C) the employee is under the direction and  
15 general supervision of the veterinarian; and

16 (D) the veterinarian is responsible for the  
17 employee's performance;

18 (5) the performance of an act by a person who is a  
19 full-time student of an accredited college of veterinary medicine  
20 if the act is performed under the direct supervision of a  
21 veterinarian;

22 (6) a person who is:

23 (A) an animal shelter employee who performs  
24 euthanasia in the course and scope of the person's employment if the  
25 person has successfully completed training in accordance with  
26 Chapter 829, Health and Safety Code;

27 (B) an employee, volunteer, or agent of an animal

1 shelter who provides nonsurgical veterinary care or treatment for  
2 the animal shelter under the authorization and general supervision  
3 of a veterinarian or under a protocol approved by a veterinarian; or

4 (C) a veterinarian who is employed by or who  
5 contracts with an animal shelter with or without pay while the  
6 veterinarian is providing services to the animal shelter;

7 (7) a person who is engaged in a recognized  
8 state-federal cooperative disease eradication or control program  
9 or an external parasite control program while the person is  
10 performing official duties required by the program;

11 (8) a person who, without expectation of compensation,  
12 provides emergency care in an emergency or disaster; or

13 (9) a consultation given to a veterinarian in this  
14 state by a person who:

15 (A) resides in another state; and

16 (B) is lawfully qualified to practice veterinary  
17 medicine under the laws of that state.

18 SECTION 2. This Act takes effect September 1, 2015.