

By: McClendon

H.B. No. 998

A BILL TO BE ENTITLED

AN ACT

relating to the civil liability of and insurance requirements for owners of certain dogs; providing penalties.

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

SECTION 1. Subchapter A, Chapter 822, Health and Safety Code, is amended by adding Section 822.008 to read as follows:

Sec. 822.008. CIVIL LIABILITY AND LIABILITY INSURANCE FOR CERTAIN DOGS. (a) This section applies only to a male dog that:

(1) has not been neutered;

(2) weighs 20 pounds or more; and

(3) is not restrained at all times:

(A) on a leash in the immediate control of a person; or

(B) in a secure enclosure.

(b) The owner of a dog described by Subsection (a) is liable for damages to property and for death or bodily injury to a person resulting from an attack by the dog.

(c) The owner of a dog described by Subsection (a) shall maintain liability insurance coverage in an amount of not less than \$100,000 for each occurrence for liability for damages to property and for death or bodily injury to a person caused by the dog.

(d) A person commits an offense if the person violates Subsection (c). An offense under this subsection is a Class C misdemeanor unless it is shown on the trial of the offense that the

1 person has previously committed an offense under this subsection,
2 in which event it is a Class B misdemeanor.

3 SECTION 2. Section 822.008, Health and Safety Code, as
4 added by this Act, applies only to a cause of action that accrues on
5 or after the effective date of this Act. A cause of action that
6 accrues before the effective date of this Act is governed by the law
7 as it existed at the time the cause of action accrued, and that law
8 is continued in effect for that purpose.

9 SECTION 3. This Act takes effect September 1, 2011.