

SUBCHAPTER L. RETIREMENT OF LAW ENFORCEMENT ANIMAL

Sec. 614.211. DEFINITIONS. In this subchapter:

(1) "Head of a law enforcement agency" means the highest-ranking peace officer in a law enforcement agency, including the director, sheriff, constable, or police chief, as applicable.

(2) "Law enforcement agency" means an office, department, or other division of this state or a political subdivision of this state, including a county, municipality, school district, or hospital district, that is authorized by law to employ peace officers.

Added by Acts 2019, 86th Leg., R.S., Ch. 36 (S.B. [2100](#)), Sec. 1, eff. May 14, 2019.

Sec. 614.212. SUITABILITY AND ELIGIBILITY OF ANIMAL. (a) The governing body of a state agency or political subdivision may enter into a contract with a person for the transfer of a law enforcement dog, horse, or other animal that has been determined by the applicable head of a law enforcement agency or that person's designee to be:

(1) suitable for transfer, after consulting with the animal's veterinarian, handlers, and other caretakers; and

(2) surplus to the needs of the state agency or political subdivision because the animal is:

(A) at the end of the animal's working life; or

(B) subject to circumstances that justify making the animal available for transfer before the end of the animal's working life, including:

(i) the death of the animal's handler in the line of duty or as a result of injuries sustained in the line of duty; or

(ii) the medical retirement of the animal's handler as a result of injuries sustained in the line of duty.

(b) The head of a state law enforcement agency may execute a contract under this subchapter on behalf of the state agency.

Added by Acts 2019, 86th Leg., R.S., Ch. 36 (S.B. [2100](#)), Sec. 1, eff. May 14, 2019.

Sec. 614.213. TRANSFEREE. (a) A law enforcement animal determined to be suitable and eligible for transfer under Section [614.212](#) may be transferred only to a person who is:

- (1) capable of humanely caring for the animal; and
- (2) selected by the applicable head of a law enforcement agency or that person's designee in the following order of priority, as applicable:

- (A) the animal's former handler who medically retired as a result of injuries sustained in the line of duty;

- (B) the parent, child, spouse, or sibling of the animal's former handler if the handler was killed in the line of duty or died from injuries sustained in the line of duty;

- (C) a former handler not described by Paragraph (A);

- (D) a peace officer, county jailer, or telecommunicator other than the animal's handler; or

- (E) another person.

(b) If more than one person in a category of authorized transferees under Subsection (a)(2) requests to receive the animal, the applicable head of a law enforcement agency or that person's designee shall determine which of the potential transferees would best serve the best interest of the animal and the applicable state agency or political subdivision.

Added by Acts 2019, 86th Leg., R.S., Ch. 36 (S.B. [2100](#)), Sec. 1, eff. May 14, 2019.

Sec. 614.214. CONTRACT. A contract for a transfer under this subchapter:

(1) may provide for the transfer without charge to the transferee;

(2) must require the transferee to:

(A) humanely care for the animal, including providing food, shelter, and regular and appropriate veterinary care, including medication, to properly provide for the animal's health;

(B) comply with all state and local laws applicable to keeping domestic animals; and

(C) notify the applicable state agency or political subdivision if the transferee is no longer able to humanely care for the animal; and

(3) must require the applicable state agency or political subdivision to take possession of the animal on:

(A) receipt of the notice under Subdivision (2) (C); or

(B) a finding by the governing body of the state agency or political subdivision that the transferee is no longer able to humanely care for the animal.

Added by Acts 2019, 86th Leg., R.S., Ch. 36 (S.B. [2100](#)), Sec. 1, eff. May 14, 2019.

Sec. 614.215. LIABILITY. A state agency or political subdivision that transfers an animal under this subchapter:

(1) is not liable in a civil action for any damages arising from the transfer, including damages arising from the animal's law enforcement training; and

(2) is not liable for veterinary expenses of the transferred animal, including expenses associated with care for a condition of the animal that existed before or at the time of transfer, regardless of whether the applicable law enforcement agency, state agency, or political subdivision was aware of the condition.

Added by Acts 2019, 86th Leg., R.S., Ch. 36 (S.B. [2100](#)), Sec. 1, eff. May 14, 2019.

Sec. 614.216. EFFECT OF SUBCHAPTER. This subchapter does not:

- (1) require an animal to be transferred under this subchapter;
- (2) affect a state agency's or political subdivision's authority to care for retired law enforcement animals; or
- (3) waive sovereign or governmental immunity to suit and from liability of the state agency or political subdivision transferring an animal.

Added by Acts 2019, 86th Leg., R.S., Ch. 36 (S.B. [2100](#)), Sec. 1, eff. May 14, 2019.

Sec. 614.217. EFFECT OF SURPLUS OR SALVAGE LAW. Subchapter D, Chapter [2175](#), of this code, Subchapter D, Chapter [263](#), Local Government Code, and other similar laws regarding the disposition of surplus or salvage property do not apply to the transfer of a law enforcement animal under this subchapter.

Added by Acts 2019, 86th Leg., R.S., Ch. 36 (S.B. [2100](#)), Sec. 1, eff. May 14, 2019.