

CHAPTER 116

S.B. No. 764

An Act relating to the time period that an estray must be held before title to the animal vests in the county and the method of sale; amending Subsections (a) and (b), Section 142.007, Agriculture Code.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Subsection (a), Section 142.007, Agriculture Code, is amended to read as follows:

“(a) If the ownership of an estray is not determined before the 3rd [~~15th~~] day following the day of the final advertisement under this chapter, the county has title to the animal and the sheriff or the sheriff’s designee shall cause the animal to be sold at a *sheriff’s sale or public auction* licensed by the United States Department of Agriculture. Title to the animal shall be considered vested in the sheriff or the sheriff’s designee for purposes of passing good title, free and clear of all claims, to the purchaser at the sale.”

SECTION 2. Subsection (b), Section 142.007, Agriculture Code, is amended to read as follows:

“(b) The purchaser of an estray at a *sheriff’s sale or public auction* may take possession of the animal on payment of the purchase price.”

SECTION 3. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

Passed the Senate on March 28, 1985, by the following vote: Yeas 31, Nays 0; passed the House on May 2, 1985, by a non-record vote.

Approved: May 17, 1985

Effective: August 26, 1985