



NELSON W. WOLFF
COUNTY JUDGE

ROBERT TEJEDA
COMMISSIONER, PCT. 1

PAUL ELIZONDO
COMMISSIONER, PCT. 2

LYLE LARSON
COMMISSIONER, PCT. 3

TOMMY ADKISSON
COMMISSIONER, PCT. 4

BEXAR COUNTY COMMISSIONERS COURT

BEXAR COUNTY COURTHOUSE

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SAN ANTONIO, TEXAS 78205

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AUTHORIZING THE PROHIBITION OF WILD ANIMALS WITHIN
THE UNINCORPORATED AREAS OF BEXAR COUNTY, TEXAS
PURSUANT TO H.B.1362 (77th LEGISLATURE), SECTION 240 OF THE
TEXAS LOCAL GOVERNMENT CODE
AND CHAPTER 822 TEXAS HEALTH AND SAFETY CODE

WHEREAS, the Legislature of the State of Texas recognizes the danger of wild animals; and

WHEREAS, the 77th Legislature of the State of Texas passed H.B. 1362 amending the Texas Health and Safety Code and Texas Local Government Code to allow the commissioners court of a county to prohibit or regulate the keeping of a wild animal in the county; and

WHEREAS, Bexar County Commissioners Court recognizes a risk to the public welfare created by the keeping of dangerous wild animals;

NOW THEREFORE IT IS HEREBY ORDERED BY THE COMMISSIONERS COURT OF THE COUNTY OF BEXAR:

Section 1. REPEAL OF COMMISSIONERS COURT REGULATION NO. 12.102.030889

Bexar County Commissioners Court regulation no. 12.102.030889 approved March 8, 1989, is repealed.

Section 2. DETERMINATION OF DANGEROUS WILD ANIMALS

Bexar County Commissioners Court determines, pursuant to Texas Health and Safety Code, Chapter 822, Subchapter E, that the following animals and their hybrids are “dangerous wild animals” in need of control within the county:

- a. a lion;
- b. a tiger;
- c. an ocelot;
- d. a cougar;
- e. a leopard;
- f. a cheetah;
- g. a jaguar;
- h. a bobcat;
- i. a lynx;
- j. a serval;
- k. a caracal;
- l. a hyena;
- m. a bear;
- n. a coyote;
- o. a jackal;
- p. a baboon;
- q. a chimpanzee;
- r. an orangutan;
- s. a gorilla; or
- t. any hybrid of an animal listed in this subdivision.

SECTION 3. REGULATION

The Bexar County Commissioners Court of Bexar County by this order prohibits, unless otherwise provided by law, the keeping of a dangerous wild animal within the unincorporated areas of Bexar County.

SECTION 4. PENALTY

Pursuant to Texas Local Government Code Section 240.003 a person violates this order when he/she does not comply with Section 3. An offense under this order is a Class C misdemeanor.

SECTION 5. EXEMPTIONS

Pursuant to Texas Health and Safety Code, Chapter 822, Subchapter E, Section 822.102, this order does not apply to:

- a. a county, municipality, or agency of the state or an agency of the United States or an agent or official of a county, municipality, or agency acting in an official capacity;
- b. a research facility, as that term is defined by 3-9 Section 2(e), Animal Welfare Act (7 U.S.C. Section 2132), and its subsequent amendments, that is licensed by the secretary of agriculture of the United States under that Act;
- c. an organization that is an accredited member of the American Zoo and Aquarium Association;
- d. an injured, infirm, orphaned, or abandoned dangerous wild animal while being transported for care or treatment;
- e. an injured, infirm, orphaned, or abandoned dangerous wild animal while being rehabilitated, treated, or cared for by a licensed veterinarian, an incorporated humane society or animal shelter, or a person who holds a rehabilitation permit issued under Subchapter C, Chapter 43, Parks and Wildlife Code;
- f. a dangerous wild animal owned by and in the custody and control of a transient circus company that is not based in this state if: (1) the animal is used as an integral part of the circus performances; and (2) the animal is kept within this state only during the time the circus is performing in this state or for a period not to exceed 30 days while the circus is performing outside the United States;
- g. a dangerous wild animal while in the temporary custody or control of a television or motion picture production company during the filming of a television or motion picture production in this state;
- h. a dangerous wild animal owned by and in the possession, custody, or control of a college or university solely as a mascot for the college or university;
- i. a dangerous wild animal while being transported in interstate commerce through the state in compliance with the Animal Welfare Act (7 U.S.C. Section 2131 et seq.) and its subsequent amendments and the regulations adopted under that Act;
- j. a nonhuman primate owned by and in the control and custody of a person whose only business is supplying nonhuman primates directly and exclusively to biomedical research facilities and who holds a Class "A" or Class "B" dealer's license issued by the secretary of agriculture of the United States under the Animal Welfare Act (7 U.S.C. Section 2131 et seq.) and its subsequent amendments; and
- k. a dangerous wild animal that is: (1) owned by or in the possession, control, or custody of a person who is a participant in a species survival plan of the American Zoo and Aquarium Association for that species; and (2) an integral part of that species survival plan.

SECTION 6. INJUNCTION

Pursuant to Texas Local Government Code Chapter 240, Section 240.004, the Criminal District Attorney for Bexar County may file an action in a district court to enjoin a violation or threatened violation of this order. The court may grant appropriate relief.

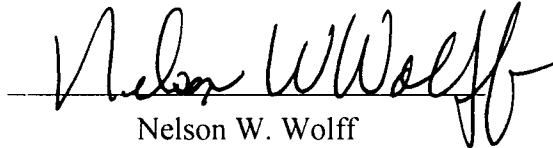
SECTION 7. SEVERABILITY

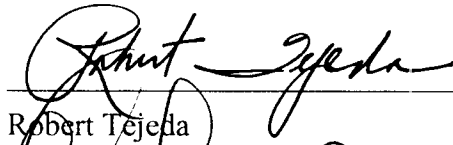
If any provision, section, article, paragraph, or sentence of this Order shall be held invalid, such invalidity shall not affect the remaining provisions, sections, paragraphs, and sentences of this Order.

SECTION 8. EFFECTIVE DATE

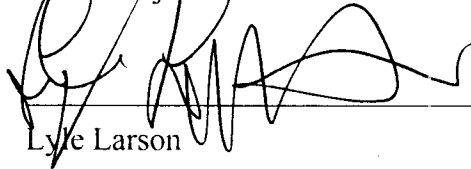
This order is effective November 30, 2001.

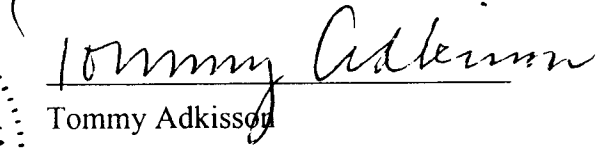
Approved by the Bexar County Commissioners Court August 28, 2001.


Nelson W. Wolff


Robert Tejada


Paul Elizondo


Lyle Larson


Tommy Adkisson

