



**DEE MARGO**  
MAYOR

May 12, 2020

Office of the Governor  
P.O. Box 12428  
Austin, Texas 78711-2428

Dear Governor Abbott,

I as the Mayor of the City of El Paso, along with many other municipal and non-profit animal care and control organizations, veterinarians, animal shelters, animal rescues and animal welfare organizations across Texas, are writing you to urgently request that enforcement of Texas Health and Safety Code Chapter 828 (Dog and Cat Sterilization) be suspended during the declared disaster related to COVID-19 pursuant to Chapter 418.016 of the Texas Government Code.

The global COVID-19 pandemic continues to cause economic distress and hardship to many Texas citizens who love their pets, many of whom are no longer able to care for them. As more people are unable to afford care, more animals will be surrendered to animal shelters. Sadly, many of these surrendered animals are being and will continue to be euthanized, due to staff shortages and limitations around public adoptions in communities across the state. This will also lead to an additional financial burden for city and county operated shelters in the most rural shelters across the state. Shelters need the flexibility to treat animals and allow them to stay with their owners rather than be relinquished.

The National Animal Care and Control Association (NACA) [recommends](#) that shelters continue to prioritize live-outcomes such as adoption during the crisis and states unequivocally that “[i]f shelters are unable to or decide for any reason not to alter pets during the COVID-19 Pandemic, they should continue providing live outcomes for sheltered cats and dogs.” Chapter 828 makes compliance with this guidance impossible for some shelters.

By suspending enforcement of Texas Government Code Chapter 828, shelters can provide care to owners who are at risk of relinquishment without taking the animal into the shelter. As elective surgeries are stopping in most veterinary hospitals across the state per the recommendation of the US Surgeon General, many shelters are left without the option to sterilize before release and do not have the administrative support to enforce adoption contracts as Chapter 828 mandates. There is a national push to get animals out of shelters alive right now

and to try to follow up for sterilization, as resources allow, after the effects of COVID-19 are over. Unfortunately, some shelters are left with no choice but to euthanize healthy and adoptable dogs and cats in order to comply with the mandates of Chapter 828. We all want to do what is best for the people and pets of Texas without fear of penalty during this unprecedented crisis response.

Suspending enforcement for Chapter 828 will allow pets to live and stay with their foster families, reduce the operational impact of an increased number of pets in shelters, and ease the heavy financial burden of COVID-19 in all of our communities across the state of Texas.

We greatly appreciate your timely consideration and are here to respond to any questions your office may have moving forward.

Respectfully,



Dee Margo  
Mayor of the City of El Paso

cc: Paula Powell, Director of El Paso's Animal Services