

By: Talarico

H.B. No. 147

A BILL TO BE ENTITLED

AN ACT

relating to the regulation of kennels; creating a criminal offense.

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

SECTION 1. Title 10, Health and Safety Code, is amended by adding Chapter 824 to read as follows:

CHAPTER 824. KENNELS

Sec. 824.001. DEFINITIONS. In this chapter:

(1) "Fire protection sprinkler system" has the meaning assigned by Section 766.051.

(2) "Kennel" means a facility that provides boarding and related services to cats or dogs for the purpose of breeding, sheltering, training, or hunting, or similar purposes in exchange for compensation or other consideration.

Sec. 824.002. APPLICABILITY. This chapter does not apply to:

(1) an animal shelter as defined by Chapter 823;

(2) a veterinary medicine clinic; or

(3) a kennel that boards not more than three dogs or cats at any time.

Sec. 824.003. REQUIRED SMOKE OR SIMILAR DETECTION SYSTEM OR EMPLOYEE PRESENCE. (a) A kennel owner or operator shall:

(1) install and maintain in good working order a smoke or similar detection system in each building on the premises of the kennel; or

1 (2) ensure a kennel employee remains on the premises
2 of the kennel at all times when one or more dogs or cats are on the
3 premises for boarding and related services.

4 (b) The system required under Subsection (a)(1) must:

5 (1) include a fire protection sprinkler system;

6 (2) be operable at all times when a cat or dog is on the
7 premises of the kennel; and

8 (3) instantaneously alert a kennel employee and each
9 local fire department with jurisdiction over the kennel on
10 detection of a fire or potential fire hazard that triggers the
11 system.

12 Sec. 824.004. CRIMINAL PENALTY. (a) A kennel owner or
13 operator commits an offense if:

14 (1) the owner or operator violates Section 824.003;
15 and

16 (2) the violation results in the injury or death of a
17 cat or dog boarded at or receiving services from the kennel.

18 (b) An offense under this section is a Class B misdemeanor.

19 SECTION 2. This Act takes effect on the 91st day after the
20 last day of the legislative session.