

By: Ordaz, Meyer, Leach, Moody, Cook

H.B. No. 1203

Substitute the following for H.B. No. 1203:

By: Moody

C.S.H.B. No. 1203

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the prosecution of the offense of cruelty to  
3 nonlivestock animals.

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

5 SECTION 1. Sections 42.092(b) and (d), Penal Code, are  
6 amended to read as follows:

7 (b) A person commits an offense if the person intentionally,  
8 knowingly, ~~or~~ recklessly, or with criminal negligence:

9 (1) tortures an animal or in a cruel manner kills or  
10 causes serious bodily injury to an animal;

11 (2) without the owner's effective consent, kills,  
12 administers poison to, or causes serious bodily injury to an  
13 animal;

14 (3) fails unreasonably to provide necessary food,  
15 water, care, or shelter for an animal in the person's custody;

16 (4) abandons unreasonably an animal in the person's  
17 custody;

18 (5) transports or confines an animal in a cruel  
19 manner;

20 (6) without the owner's effective consent, causes  
21 bodily injury to an animal;

22 (7) causes one animal to fight with another animal, if  
23 either animal is not a dog;

24 (8) uses a live animal as a lure in dog race training

1 or in dog coursing on a racetrack; or

2 (9) seriously overworks an animal.

3 (d) It is a defense to prosecution under this section that:

4 (1) the actor had a reasonable fear of bodily injury to  
5 the actor or to another person by a dangerous wild animal as defined  
6 by Section 822.101, Health and Safety Code; ~~or~~

7 (2) the actor was engaged in bona fide experimentation  
8 for scientific research; or

9 (3) the actor acted with criminal negligence during  
10 the actual discharge of the actor's duties while employed as a  
11 veterinarian licensed under Chapter 801, Occupations Code, or as a  
12 person assisting the veterinarian.

13 SECTION 2. The change in law made by this Act applies only  
14 to an offense committed on or after the effective date of this Act.  
15 An offense committed before the effective date of this Act is  
16 governed by the law in effect on the date the offense was committed,  
17 and the former law is continued in effect for that purpose. For  
18 purposes of this section, an offense was committed before the  
19 effective date of this Act if any element of the offense occurred  
20 before that date.

21 SECTION 3. This Act takes effect September 1, 2023.