

1-1 By: Talarico, Patterson (Senate Sponsor-Schwertner) H.B. No. 2063
 1-2 (In the Senate - Received from the House May 1, 2023;
 1-3 May 2, 2023, read first time and referred to Committee on Water,
 1-4 Agriculture & Rural Affairs; May 9, 2023, reported favorably by the
 1-5 following vote: Yeas 7, Nays 1; May 9, 2023, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12			X	
1-13	X			
1-14	X			
1-15	X			
1-16		X		

1-17 A BILL TO BE ENTITLED
 1-18 AN ACT

1-19 relating to required informed consent before a dog or cat may be
 1-20 boarded at a kennel and left unattended; providing a civil penalty.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. Title 10, Health and Safety Code, is amended by
 1-23 adding Chapter 824 to read as follows:

1-24 CHAPTER 824. KENNELS

1-25 Sec. 824.001. DEFINITIONS. In this chapter:

1-26 (1) "Fire protection sprinkler system" has the meaning
 1-27 assigned by Section 766.051.

1-28 (2) "Kennel" means a facility, including a veterinary
 1-29 medicine clinic, that provides boarding and related services to
 1-30 dogs or cats for breeding, sheltering, training, hunting, or
 1-31 similar purposes in exchange for compensation or other
 1-32 consideration.

1-33 Sec. 824.002. EXCEPTIONS TO APPLICABILITY OF CHAPTER. This
 1-34 chapter does not apply to:

1-35 (1) an animal shelter as defined by Chapter 823; or

1-36 (2) a kennel that boards not more than three dogs or
 1-37 cats at any time.

1-38 Sec. 824.003. REQUIRED INFORMED CONSENT FOR BOARDING OR
 1-39 PROVIDING SERVICES TO DOG OR CAT TO BE LEFT UNATTENDED. A kennel
 1-40 owner or operator who is boarding or providing services to a dog or
 1-41 cat at the kennel may not leave the dog or cat unattended without an
 1-42 employee present unless:

1-43 (1) the kennel owner or operator provides to the owner
 1-44 of the dog or cat written notice that:

1-45 (A) the dog or cat will be left unattended at the
 1-46 kennel without an employee present during the hours specified in
 1-47 the notice; and

1-48 (B) if the kennel is not equipped with a
 1-49 functioning fire protection sprinkler system, the facility does not
 1-50 have a fire protection sprinkler system; and

1-51 (2) the owner of the dog or cat provides to the kennel
 1-52 owner or operator a signed document consenting to the dog or cat
 1-53 being left unattended as provided in the notice.

1-54 Sec. 824.004. CIVIL PENALTY. (a) A kennel owner or
 1-55 operator who violates Section 824.003 is liable for a civil penalty
 1-56 in an amount equal to \$500 for each animal subject to the violation
 1-57 and for each day the violation continues.

1-58 (b) The attorney general or the appropriate district or
 1-59 county attorney may:

1-60 (1) bring an action on behalf of this state to collect
 1-61 the civil penalty under this section; and

2-1 (2) recover attorney's fees and costs incurred in
2-2 bringing the action.

2-3 SECTION 2. This Act takes effect September 1, 2023.

2-4 * * * * *