

AN ACT

relating to the licensing and regulation of dog and cat breeders;  
expanding the applicability of an occupational license.

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

SECTION 1. Section 802.002(8), Occupations Code, is amended to read as follows:

(8) "Dog or cat breeder" means a person who possesses five ~~[11]~~ or more adult intact female animals and is engaged in the business of breeding those animals for direct or indirect sale or for exchange in return for consideration ~~[and who sells or exchanges, or offers to sell or exchange, not fewer than 20 animals in a calendar year]~~.

SECTION 2. Sections 802.005(a) and (b), Occupations Code, are amended to read as follows:

(a) This section applies only to a dog bred with the intent that it be used primarily for:

(1) herding livestock, as defined by Section 1.003, Agriculture Code, or other agricultural uses;

(2) hunting, including tracking, chasing, pointing, flushing, or retrieving game; or

(3) competing in field trials, hunting tests, breed or conformation shows, or similar organized performance events.

(b) This chapter does not apply to a person to the extent the person breeds dogs described by Subsection (a) for a personal use

1 described by Subsection (a). A person described by this subsection  
2 may conduct direct or indirect sales or exchanges in return for  
3 consideration of dogs described by Subsection (a).

4 SECTION 3. As soon as practicable after the effective date  
5 of this Act, the Texas Department of Licensing and Regulation shall  
6 prescribe the forms and procedures necessary to implement the  
7 changes in law made by this Act.

8 SECTION 4. Notwithstanding Section 802.002(8), Occupations  
9 Code, as amended by this Act, a dog or cat breeder who possesses  
10 five or more but fewer than 11 adult intact female animals and is  
11 engaged in the business of breeding those animals for direct or  
12 indirect sale or for exchange in return for consideration is not  
13 required to hold a license under Chapter 802, Occupations Code, to  
14 act as a dog or cat breeder before January 1, 2024.

15 SECTION 5. This Act takes effect September 1, 2023.

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Speaker of the House

I hereby certify that S.B. No. 876 passed the Senate on April 24, 2023, by the following vote: Yeas 22, Nays 8; and that the Senate concurred in House amendment on May 16, 2023, by the following vote: Yeas 23, Nays 8.

\_\_\_\_\_  
Secretary of the Senate

I hereby certify that S.B. No. 876 passed the House, with amendment, on May 11, 2023, by the following vote: Yeas 119, Nays 23, one present not voting.

\_\_\_\_\_  
Chief Clerk of the House

Approved:

\_\_\_\_\_  
Date

\_\_\_\_\_  
Governor