

1-1 By: Menendez, et al. (Senate Sponsor - Van de Putte) H.B. No. 916
1-2 (In the Senate - Received from the House May 8, 2007;
1-3 May 10, 2007, read first time and referred to Committee on Criminal
1-4 Justice; May 18, 2007, reported favorably by the following vote:
1-5 Yeas 5, Nays 0; May 18, 2007, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to the prosecution and punishment of dog fighting.

1-9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-10 SECTION 1. Sections 42.10(a), (c), (d), and (e), Penal
1-11 Code, are amended to read as follows:

1-12 (a) A person commits an offense if he intentionally or
1-13 knowingly:

1-14 (1) causes a dog to fight with another dog;

1-15 (2) ~~[for a pecuniary benefit causes a dog to fight with~~
1-16 ~~another dog,~~

1-17 ~~[(3)]~~ participates in the earnings of or operates a
1-18 facility used for dog fighting;

1-19 (3) ~~[(4)]~~ uses or permits another to use any real
1-20 estate, building, room, tent, arena, or other property for dog
1-21 fighting;

1-22 (4) ~~[(5)]~~ owns or trains a dog with the intent that the
1-23 dog be used in an exhibition of dog fighting; or

1-24 (5) ~~[(6)]~~ attends as a spectator an exhibition of dog
1-25 fighting.

1-26 (c) A conviction under ~~[Subdivision (2), (3), or (4) of]~~
1-27 Subsection (a)(2) or (3) ~~[(a)]~~ may be had upon the uncorroborated
1-28 testimony of a party to the offense.

1-29 (d) It is a defense to prosecution under ~~[Subdivision (1) or~~
1-30 ~~(2) of]~~ Subsection (a)(1) ~~[(a)]~~ that the actor caused a dog to fight
1-31 with another dog to protect livestock, other property, or a person
1-32 from the other dog, and for no other purpose.

1-33 (e) An offense under ~~[Subdivision (1) or (5) of]~~ Subsection
1-34 (a)(4) or (5) ~~[(a)]~~ is a Class A misdemeanor. An offense under
1-35 ~~[Subdivision (2), (3), or (4) of]~~ Subsection (a)(1), (2), or (3)
1-36 ~~[(a)]~~ is a state jail felony. ~~[An offense under Subdivision (6) of~~
1-37 ~~Subsection (a) is a Class C misdemeanor.]~~

1-38 SECTION 2. The change in law made by this Act applies only
1-39 to an offense committed on or after the effective date of this Act.
1-40 An offense committed before the effective date of this Act is
1-41 covered by the law in effect when the offense was committed, and the
1-42 former law is continued in effect for that purpose. For purposes of
1-43 this section, an offense was committed before the effective date of
1-44 this Act if any element of the offense was committed before that
1-45 date.

1-46 SECTION 3. This Act takes effect September 1, 2007.

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