

By: Laubenberg

H.B. No. 1704

A BILL TO BE ENTITLED

AN ACT

relating to the punishment of the offense of cruelty to animals.

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

SECTION 1. Section 42.092(c), Penal Code, is amended to read as follows:

(c) An offense under Subsection (b)(3), (4), (5), (6), or (9) is a Class A misdemeanor, except that the offense is a state jail felony if the person has previously been convicted one or more [~~two~~] times under this section or one or more [~~, two~~] times under Section 42.09 [~~, or one time under this section and one time under Section 42.09~~]. An offense under Subsection (b)(1), (2), (7), or (8) is a state jail felony, except that the offense is a felony of the third degree if the person has previously been convicted one or more [~~two~~] times under this section or one or more [~~, two~~] times under Section 42.09 [~~, or one time under this section and one time under Section 42.09~~].

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

1 SECTION 3. This Act takes effect September 1, 2009.