

AN ACT

relating to the licensing and regulation of certain dog and cat breeders; providing penalties.

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

SECTION 1. The heading to Title 4, Occupations Code, is amended to read as follows:

TITLE 4. PROFESSIONS RELATED TO ANIMALS [~~ANIMAL HEALTH~~]

SECTION 2. Title 4, Occupations Code, is amended by adding Chapter 802 to read as follows:

CHAPTER 802. DOG OR CAT BREEDERS

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 802.001. SHORT TITLE. This chapter may be cited as the Dog or Cat Breeders Act.

Sec. 802.002. DEFINITIONS. In this chapter:

(1) "Adult animal" means an animal six months of age or older.

(2) "Animal" means a dog or a cat.

(3) "Cat" means a mammal that is wholly or partly of the species *Felis domesticus*.

(4) "Commission" means the Texas Commission of Licensing and Regulation under Chapter 51.

(5) "Controlling person" means an individual who:

(A) is a partner, manager, director, officer, or member of a dog or cat breeder;

1           (B) possesses the authority to set policy or  
2 direct management of a dog or cat breeder; or

3           (C) possesses a direct or indirect control of 25  
4 percent or more of a dog or cat breeder.

5           (6) "Department" means the Texas Department of  
6 Licensing and Regulation under Chapter 51.

7           (7) "Dog" means a mammal that is wholly or partly of  
8 the species Canis familiaris.

9           (8) "Dog or cat breeder" means a person who possesses  
10 11 or more adult intact female animals and is engaged in the  
11 business of breeding those animals for direct or indirect sale or  
12 for exchange in return for consideration and who sells or  
13 exchanges, or offers to sell or exchange, not fewer than 20 animals  
14 in a calendar year.

15           (9) "Facility" means the premises used by a dog or cat  
16 breeder for keeping or breeding animals. The term includes all  
17 buildings, property, and confinement areas used to conduct the  
18 breeding business.

19           (10) "Federal regulations" means the specifications  
20 for the humane handling, care, treatment, and transportation of  
21 dogs and cats set forth in 9 C.F.R. Part 3, Subpart A.

22           (11) "Intact female animal" means a female animal that  
23 has not been spayed and is capable of reproduction.

24           (12) "Kitten" means a cat less than six months old.

25           (13) "Licensed breeder" means a dog or cat breeder who  
26 holds a license issued under this chapter.

27           (14) "Possess" means to have custody of or control

1 over.

2 (15) "Primary enclosure" means any structure used to  
3 restrict an animal to a limited amount of space. The term includes  
4 a room, pen, run, cage, or compartment.

5 (16) "Puppy" means a dog less than six months old.

6 (17) "Third-party inspector" means any of the  
7 following entities with which the department contracts under  
8 Section 802.061, including an employee of the entity:

9 (A) a state agency; or

10 (B) a local law enforcement agency or fire  
11 department.

12 (18) "Veterinarian" means a veterinarian in good  
13 standing and licensed to practice veterinary medicine in this  
14 state.

15 Sec. 802.003. APPLICABILITY OF CHAPTER. (a) This chapter  
16 does not affect the applicability of any other law, rule, order,  
17 ordinance, or other legal requirement of the federal government,  
18 this state, or a political subdivision of this state.

19 (b) This chapter does not prevent a municipality or county  
20 from prohibiting or further regulating by order or ordinance the  
21 possession, breeding, or selling of dogs or cats.

22 (c) This chapter does not apply to an animal regulated under  
23 the Texas Racing Act (Article 179e, Vernon's Texas Civil Statutes).

24 Sec. 802.004. PRESUMPTION OF USE FOR BREEDING. For  
25 purposes of this chapter, each adult intact female animal possessed  
26 by a person engaged in the business of breeding animals for direct  
27 or indirect sale or for exchange in return for consideration is

1 presumed to be used for breeding purposes unless the person  
2 establishes to the satisfaction of the department, based on the  
3 person's breeding records or other evidence reasonably acceptable  
4 to the department, that the animal is not used for breeding.

5 Sec. 802.005. EXEMPTION FOR CERTAIN PERSONS WHO BREED  
6 SPECIAL PURPOSE DOGS. (a) This section applies only to a dog bred  
7 with the intent that it be used primarily for:

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

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

12 (3) competing in field trials, hunting tests, or  
13 similar organized performance events.

14 (b) This chapter does not apply to a person to the extent the  
15 person breeds dogs described by Subsection (a) for personal use. A  
16 person described by this subsection may conduct direct or indirect  
17 sales or exchanges in return for consideration of dogs described by  
18 Subsection (a).

19 (c) Notwithstanding Subsection (b), a person described by  
20 Subsection (b) may be subject to the requirements of this chapter  
21 based on the person's activities with respect to animals other than  
22 dogs that are bred and used as described by this section.

23 (d) Dogs described by Subsection (a) may not be counted for  
24 purposes of determining the number of adult intact female animals  
25 possessed by a person as described by Section 802.002(8).

26 [Sections 802.006-802.050 reserved for expansion]

1 SUBCHAPTER B. POWERS AND DUTIES OF COMMISSION AND DEPARTMENT

2 Sec. 802.051. GENERAL POWERS AND DUTIES; RULES. (a) The  
3 department shall administer and enforce this chapter.

4 (b) The commission shall adopt rules necessary to  
5 administer and enforce this chapter.

6 Sec. 802.052. FEES. The commission by rule shall establish  
7 reasonable and necessary fees in amounts sufficient to cover the  
8 costs of administering and enforcing this chapter. In setting the  
9 fee for inspecting or licensing a facility, the commission may  
10 consider the number of adult intact female animals used for  
11 breeding at the facility.

12 Sec. 802.053. PERSONNEL. The department may employ  
13 personnel necessary to carry out the functions and duties of the  
14 department under this chapter.

15 Sec. 802.054. EXPENSES. The department may authorize  
16 disbursements necessary to implement this chapter, including  
17 disbursements for office expenses, equipment costs, and other  
18 necessary facilities.

19 Sec. 802.055. CRIMINAL BACKGROUND CHECKS. The department  
20 shall conduct a criminal background check on each applicant who  
21 submits an application for a license under this chapter and on any  
22 controlling person of the applicant. The department may, as  
23 permitted by law:

24 (1) examine any criminal conviction, guilty plea, or  
25 deferred adjudication of the applicant or controlling person; and

26 (2) obtain any criminal history or record of the  
27 applicant or controlling person.

1       Sec. 802.056. DIRECTORY. (a) The department shall  
2 maintain a directory of licensed breeders and of third-party  
3 inspectors registered under this chapter.

4       (b) The department shall make the directory available to the  
5 public.

6       Sec. 802.057. DISCIPLINARY DATABASE. (a) The department  
7 shall maintain a database of dog or cat breeders who have been  
8 subject to disciplinary action as provided by Subchapter F.

9       (b) The department shall make the information maintained in  
10 the database available to the public.

11       Sec. 802.058. CONSUMER INTEREST INFORMATION. (a) The  
12 department shall prepare information of consumer interest  
13 describing:

14           (1) the functions performed by the department under  
15 this chapter; and

16           (2) the rights of a consumer affected by this chapter.

17       (b) The information must describe the procedure by which a  
18 consumer complaint is filed with and resolved by the department.

19       (c) The department shall make the information available to  
20 the public.

21       Sec. 802.059. DOG OR CAT BREEDER TRAINING AND ENFORCEMENT  
22 ACCOUNT. (a) The dog or cat breeder training and enforcement  
23 account is an account in the general revenue fund. Administrative  
24 penalties collected under Subchapter F shall be deposited to the  
25 credit of the account.

26       (b) Funds in the account may be appropriated only to the  
27 department for:

1           (1) promoting consumer awareness of this chapter and  
2 rules adopted under this chapter;

3           (2) supporting educational seminars, training  
4 activities, or other actions designed to benefit the department's  
5 ability to administer and enforce this chapter; and

6           (3) paying for information resulting in disciplinary  
7 action under Subchapter F against a person for acting as a dog or  
8 cat breeder without holding a license issued under this chapter.

9           (c) The commission by rule may provide for a system to pay  
10 for information described by Subsection (b)(3). Rules adopted  
11 under this subsection must ensure that a public purpose is  
12 accomplished through the use of the payment system.

13           (d) The department may solicit and accept gifts, grants, and  
14 other donations from any source for deposit into the account.

15           (e) The account is exempt from the application of Section  
16 403.095, Government Code.

17           (f) The executive director of the department must approve  
18 any expenditure from the account.

19           (g) The department shall report its use of the account in  
20 its quarterly financial report to the commission.

21           Sec. 802.060. REGULATION OF THIRD-PARTY INSPECTORS. The  
22 commission by rule shall establish:

23           (1) training requirements for a third-party  
24 inspector;

25           (2) registration procedures for a third-party  
26 inspector; and

27           (3) policies governing the acts of a third-party

1 inspector in conducting an inspection or investigation.

2 Sec. 802.061. CONTRACTS FOR ENFORCEMENT. The department  
3 may contract with a third-party inspector to enforce or assist in  
4 the enforcement of this chapter and rules adopted under this  
5 chapter, including the performance of inspections and  
6 investigations required under this chapter.

7 Sec. 802.062. INSPECTIONS. (a) The department shall  
8 inspect each facility of a licensed breeder at least once in every  
9 18-month period and at other times as necessary to ensure  
10 compliance with this chapter and rules adopted under this chapter.

11 (b) The inspection must be conducted during the facility's  
12 normal business hours, and the licensed breeder or a representative  
13 of the licensed breeder must be given a reasonable opportunity to be  
14 present during the inspection.

15 (c) If necessary to adequately perform the inspection, the  
16 department or third-party inspector may determine it is appropriate  
17 to not provide advance notice to the licensed breeder or a  
18 representative of the licensed breeder before arriving at the  
19 facility. The licensed breeder or its representative shall, on  
20 request of an inspector, assist the inspector in performing the  
21 inspection.

22 (d) In conducting an inspection under this section, an  
23 inspector may not enter or access any portion of a private residence  
24 of a licensed breeder except as necessary to access animals or other  
25 property relevant to the care of the animals. The inspector may  
26 request that relevant documents or records be provided for  
27 inspection.



1       (e) The inspector shall submit an inspection report to the  
2 department not later than the 10th day after the date of the  
3 inspection on a form prescribed by the department and provide a copy  
4 of the report to the licensed breeder or its representative.

5       Sec. 802.063. INVESTIGATIONS. On receipt of a complaint  
6 alleging a violation of this chapter or a rule adopted under this  
7 chapter, the department or a third-party inspector designated by  
8 the department shall investigate the alleged violation.

9       Sec. 802.064. REPORTING ANIMAL CRUELTY. A person  
10 conducting an inspection under Section 802.062 or 802.103 or an  
11 investigation under Section 802.063 shall notify the appropriate  
12 local law enforcement agency not later than 24 hours after  
13 discovering evidence of animal cruelty or neglect during the  
14 inspection or investigation.

15       Sec. 802.065. ADVISORY COMMITTEE. (a) The commission  
16 shall establish an advisory committee to advise the commission and  
17 make recommendations on matters related to the administration and  
18 enforcement of this chapter, including licensing fees and standards  
19 adopted under Subchapter E.

20       (b) The advisory committee consists of nine members  
21 appointed by the presiding officer of the commission with the  
22 approval of the commission as follows:

23               (1) two members who are licensed breeders;  
24               (2) two members who are veterinarians;  
25               (3) two members who represent animal welfare  
26 organizations each of which has an office based in this state;

27               (4) two members who represent the public; and

1           (5) one member who is an animal control officer as  
2 defined in Section 829.001, Health and Safety Code.

3           (c) Members of the advisory committee serve staggered  
4 four-year terms. The terms of four or five members expire on  
5 February 1 of each odd-numbered year. If a vacancy occurs during a  
6 member's term, the presiding officer of the commission, with the  
7 approval of the commission, shall appoint a replacement member to  
8 serve for the remainder of the unexpired term.

9           (d) The presiding officer of the commission shall designate  
10 one member of the advisory committee to serve as presiding officer  
11 of the advisory committee for a two-year term. A member may serve  
12 more than one term as presiding officer.

13           (e) The advisory committee shall meet annually and at the  
14 call of the presiding officer of the advisory committee, the  
15 presiding officer of the commission, or the executive director of  
16 the department.

17           (f) Except for the members described by Subsection (b)(1), a  
18 person may not be a member of the advisory committee if the person  
19 or a member of the person's household:

20                   (1) is required to be licensed under this chapter;

21                   (2) is an officer, employee, or paid consultant of an  
22 entity required to be licensed under this chapter;

23                   (3) owns or controls, either directly or indirectly,  
24 more than a 10 percent interest in an entity required to be licensed  
25 under this chapter; or

26                   (4) is required to register as a lobbyist under  
27 Chapter 305, Government Code, because of the person's activities

1 for compensation on behalf of an entity required to be licensed  
2 under this chapter.

3 (g) The presiding officer of the commission may remove from  
4 the advisory committee a member who is ineligible for membership  
5 under Subsection (f).

6 (h) A member may not receive compensation for service on the  
7 advisory committee. Subject to the department's budget and any  
8 limitation provided by the General Appropriations Act, a committee  
9 member may receive reimbursement for the actual and necessary  
10 expenses incurred while performing advisory committee duties.

11 (i) A decision of the advisory committee is effective only  
12 on a majority vote of the members present.

13 (j) Chapter 2110, Government Code, does not apply to the  
14 size, composition, or duration of the advisory committee or to the  
15 appointment of the committee's presiding officer.

16 [Sections 802.066-802.100 reserved for expansion]

17 SUBCHAPTER C. LICENSING OF DOG OR CAT BREEDERS

18 Sec. 802.101. LICENSE REQUIRED. (a) A person may not act  
19 as, offer to act as, or represent that the person is a dog or cat  
20 breeder in this state unless the person holds a license under this  
21 chapter for each facility that the person owns or operates in this  
22 state. A license for a single facility may cover more than one  
23 building on the same premises.

24 (b) The commission by rule may establish requirements for  
25 issuance or renewal of a license issued to a dog or cat breeder  
26 under this chapter.

27 Sec. 802.102. APPLICATION. An applicant for a license

1 under this chapter must:

2 (1) submit to the department a completed application  
3 on a form prescribed by the department;

4 (2) submit to the department the information regarding  
5 the applicant's facilities and operations requested by the  
6 department;

7 (3) demonstrate that the applicant has satisfied the  
8 requirements of this chapter and rules adopted under this chapter;  
9 and

10 (4) pay to the department the required fee.

11 Sec. 802.103. PRELICENSE INSPECTION. (a) Except as  
12 provided by Subsection (e), the department must inspect a facility  
13 before a license is issued for the facility.

14 (b) The department may not issue a license to a dog or cat  
15 breeder until the department receives a prelicense inspection  
16 report from the inspector in a format approved by the department  
17 certifying that the facility meets the requirements of this chapter  
18 and rules adopted under this chapter.

19 (c) Before the prelicense inspection may be conducted, each  
20 applicant must pay to the department the required inspection fee to  
21 be used to pay third-party inspectors and the reasonable expenses  
22 of the department related to its licensing and inspection duties  
23 under this chapter.

24 (d) An applicant whose facility does not meet the  
25 requirements of this chapter and rules adopted under this chapter  
26 as revealed by a prelicense inspection may, after correcting  
27 deficiencies noted in the inspection report, request another

1 prelicense inspection by paying the required fee to the department.

2 (e) The department may not require a prelicense inspection  
3 of a facility for an applicant who:

4 (1) holds a current Class A animal dealers license  
5 issued under the Animal Welfare Act (7 U.S.C. Section 2131 et seq.);  
6 and

7 (2) submits to the department:

8 (A) a copy of the license; and

9 (B) on a form prescribed by the department, a  
10 statement certifying that the facility meets the requirements of  
11 this chapter and rules adopted under this chapter.

12 Sec. 802.104. INITIAL LICENSE. The department shall issue  
13 a license to each dog or cat breeder who:

14 (1) meets the requirements of this chapter and rules  
15 adopted under this chapter;

16 (2) applies to the department on the form prescribed  
17 by the department; and

18 (3) pays the required fee.

19 Sec. 802.105. TERM; NONTRANSFERABILITY. A license issued  
20 under this chapter is valid until the first anniversary of the date  
21 of issuance and is nontransferable. The department shall include  
22 the expiration date on each license issued under this chapter.

23 Sec. 802.106. LICENSE RENEWAL. (a) A licensed breeder may  
24 renew the person's license by:

25 (1) submitting a renewal application to the department  
26 on the form prescribed by the department;

27 (2) complying with any other renewal requirements

1 adopted by the department; and

2 (3) paying the required fee.

3 (b) A person whose license has expired may not engage in  
4 activities that require a license until the license has been  
5 renewed.

6 (c) The department may not renew the license of a person if  
7 the person is in violation of this chapter or any rule adopted under  
8 this chapter at the time of renewal.

9 Sec. 802.107. LICENSE DENIAL, REVOCATION, AND SUSPENSION.

10 (a) The department shall deny issuance of a license to, or refuse  
11 to renew the license of, a person if the person or a controlling  
12 person of the dog or cat breeder has pled guilty to, been convicted  
13 of, or received deferred adjudication for animal cruelty or neglect  
14 in this state or any other jurisdiction in the five years preceding  
15 the person's initial or renewal application for a license.

16 (b) The department shall revoke a license if, after the  
17 license is issued, the person or a controlling person of the dog or  
18 cat breeder pleads guilty to, is convicted of, or receives deferred  
19 adjudication for animal cruelty or neglect in this state or any  
20 other jurisdiction.

21 (c) The department may deny issuance of a license to, refuse  
22 to renew the license of, or revoke or suspend a license held by a  
23 person who:

24 (1) fails to meet the requirements of this chapter and  
25 rules adopted under this chapter;

26 (2) has had a similar license issued by a federal,  
27 state, or local authority denied, revoked, or suspended;

1           (3) has falsified any material information requested  
2 by the department;

3           (4) has failed to meet a standard adopted by rule under  
4 this chapter; or

5           (5) has failed to comply with any corrective action  
6 required under an inspection report in the time provided by the  
7 report.

8           [Sections 802.108-802.150 reserved for expansion]

9           SUBCHAPTER D. PRACTICE BY LICENSED BREEDER

10          Sec. 802.151. DISPLAY OF LICENSE; APPLICABLE LAWS AND  
11 RULES; INCLUSION OF LICENSE NUMBER AND DEPARTMENT INFORMATION. A  
12 licensed breeder shall:

13           (1) prominently display a copy of the license at the  
14 breeder's facility;

15           (2) maintain at the breeder's facility a printed copy  
16 of this chapter and rules adopted under this chapter as made  
17 available by the department;

18           (3) include the license number in each advertisement  
19 of the licensed breeder; and

20           (4) include in each contract for the sale or transfer  
21 of an animal by the licensed breeder:

22                   (A) the license number; and

23                   (B) the following statement: "Dog and cat  
24 breeders are regulated by the Texas Department of Licensing and  
25 Regulation, P.O. Box 12157, Austin, Texas 78711, 1-800-803-9202,  
26 512-463-6599, [www.license.state.tx.us](http://www.license.state.tx.us)" or a similar statement  
27 adopted by commission rule that includes the department's name,

1 mailing address, telephone numbers, and Internet website address.

2 Sec. 802.152. CHANGE IN LICENSE INFORMATION. A licensed  
3 breeder shall notify the department in a manner prescribed by the  
4 department not later than the 10th day after the date any change  
5 occurs in the address, name, management, or controlling person of  
6 the business or operation.

7 Sec. 802.153. ANNUAL INVENTORY. (a) Not later than  
8 February 1 of each year, a licensed breeder shall submit to the  
9 department, on a form prescribed by the department, an accounting  
10 of all animals held at the facility at any time during the preceding  
11 calendar year.

12 (b) The licensed breeder shall keep copies of the items  
13 described by Subsection (a) at the licensed breeder's facility and  
14 shall make them available on request to the department or a  
15 third-party inspector designated by the department.

16 (c) A licensed breeder that has more than one facility  
17 shall:

- 18 (1) keep separate records for each facility; and  
19 (2) submit a separate accounting of animals for each  
20 facility.

21 Sec. 802.154. ANIMAL RECORDS. (a) The commission shall  
22 adopt rules establishing the minimum information that a licensed  
23 breeder must maintain for each animal in the breeder's facility. A  
24 licensed breeder shall maintain a separate record for each animal  
25 in the breeder's facility documenting the animal's care.

26 (b) The licensed breeder shall make the animal records  
27 available on request to the department or a third-party inspector



1 designated by the department.

2 (c) The commission by rule shall establish the retention  
3 period for records required under this section.

4 [Sections 802.155-802.200 reserved for expansion]

5 SUBCHAPTER E. STANDARDS OF CARE AND CONFINEMENT

6 Sec. 802.201. ADOPTION OF STANDARDS. (a) The commission  
7 shall adopt rules establishing minimum standards for the humane  
8 handling, care, housing, and transportation of dogs and cats by a  
9 dog or cat breeder to ensure the overall health, safety, and  
10 well-being of each animal in the breeder's possession.

11 (b) The standards adopted under this section must:

12 (1) at a minimum, meet federal regulations;

13 (2) require that, unless otherwise certified by a  
14 veterinarian in the manner prescribed by the department, a licensed  
15 breeder, if applicable, provide each dog 12 weeks of age and older  
16 with at least one hour of daily exercise in an area that:

17 (A) has a surface that has adequate drainage and  
18 that will not adversely affect the dog's health or well-being, and  
19 that may be composed of natural turf or soil;

20 (B) provides adequate protection against harsh  
21 weather, including exposure to the sun; and

22 (C) has at least three times more square feet  
23 than the dog's primary enclosure;

24 (3) require that an adequate period consistent with  
25 breed standards elapse between the breeding cycles of each adult  
26 intact female animal;

27 (4) require that a dog or cat breeder provide basic

1 grooming to each animal, including bathing and nail trimming, to  
2 the extent required to maintain the animal in a state of good  
3 health;

4 (5) require that all primary enclosures:

5 (A) be composed of materials that are safe for  
6 the animal based on the animal's breed, size, and age;

7 (B) have adequate space to allow the animal to  
8 comfortably stand, sit, turn around, and lie down in a natural  
9 position;

10 (C) have adequate drainage; and

11 (D) if any portion of the floor surface is  
12 composed of wire or a slatted material, be free from any protruding,  
13 sharp surfaces and be designed so the animal's paws are unable to  
14 extend through, or become caught in, the floor;

15 (6) prohibit the placement of a primary enclosure of  
16 an animal on top of the primary enclosure of another animal, unless  
17 an impervious barrier designed to prevent the transfer of any  
18 liquid or animal waste from one enclosure to the other is placed  
19 between the enclosures;

20 (7) prohibit the stacking of the primary enclosures of  
21 dogs above three vertical levels;

22 (8) require at least one regular veterinary  
23 examination a year for a breeding animal;

24 (9) require that a dog or cat breeder maintain at each  
25 of the breeder's facilities a written health care management  
26 protocol that addresses routine and preventive care;

27 (10) ensure that necessary routine and preventive care

1 is provided to each animal and that each animal receives  
2 appropriate care and treatment for any disease or illness, to the  
3 extent required to maintain the animal in a state of good health;

4 (11) prohibit a person from euthanizing an adult  
5 animal or performing a surgical birth of an animal unless the person  
6 is a veterinarian;

7 (12) require appropriate training for any person whose  
8 duties and responsibilities include the handling of or caring for  
9 an animal in a dog or cat breeder's facility; and

10 (13) prohibit a dog or cat breeder from selling,  
11 trading, or giving away an animal before the animal is eight weeks  
12 of age.

13 (c) The commission by rule may modify existing standards as  
14 necessary to protect or improve the health and well-being of  
15 animals or to protect the health and safety of the public.

16 [Sections 802.202-802.250 reserved for expansion]

17 SUBCHAPTER F. ENFORCEMENT

18 Sec. 802.251. DISCIPLINARY ACTION; ADMINISTRATIVE PENALTY.

19 If a person violates this chapter or a rule adopted under this  
20 chapter, the person is subject to any action or penalty under  
21 Subchapter F or G, Chapter 51.

22 SECTION 3. Not later than January 1, 2012, the presiding  
23 officer of the Texas Commission of Licensing and Regulation shall  
24 appoint the members of the advisory committee established under  
25 Section 802.065, Occupations Code, as added by this Act.

26 SECTION 4. Not later than March 31, 2012, the Texas  
27 Commission of Licensing and Regulation shall adopt the rules,

1 standards, procedures, and fees necessary to implement Chapter 802,  
2 Occupations Code, as added by this Act, and Section 5 of this Act.

3 SECTION 5. Notwithstanding Chapter 802, Occupations Code,  
4 as added by this Act, a dog or cat breeder is not required to:

5 (1) hold a license under that chapter to act as a dog  
6 or cat breeder before September 1, 2012; or

7 (2) comply with the standards adopted under Subchapter  
8 E, Chapter 802, Occupations Code, as added by this Act, before  
9 September 1, 2012.

10 SECTION 6. This Act takes effect immediately if it receives  
11 a vote of two-thirds of all the members elected to each house, as  
12 provided by Section 39, Article III, Texas Constitution. If this  
13 Act does not receive the vote necessary for immediate effect, this  
14 Act takes effect September 1, 2011.

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President of the Senate

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Speaker of the House

I certify that H.B. No. 1451 was passed by the House on April 27, 2011, by the following vote: Yeas 98, Nays 43, 1 present, not voting; and that the House concurred in Senate amendments to H.B. No. 1451 on May 25, 2011, by the following vote: Yeas 103, Nays 40, 2 present, not voting.

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Chief Clerk of the House

I certify that H.B. No. 1451 was passed by the Senate, with amendments, on May 23, 2011, by the following vote: Yeas 22, Nays 9.

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Secretary of the Senate

APPROVED: \_\_\_\_\_

Date

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Governor