

By: Raymond

H.B. No. 1687

A BILL TO BE ENTITLED

AN ACT

relating to the amount of certain civil penalties and criminal fines assessed under the Health and Safety Code.

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

SECTION 1. Section 401.383(b), Health and Safety Code, is amended to read as follows:

(b) An offense under this section is a Class A misdemeanor, unless it is shown at the trial of the person that the person has been previously convicted of an offense under this section, in which event the offense is punishable by a fine of not less than \$4,000 [~~\$2,000~~] or more than \$100,000, confinement in the county jail for not more than one year, or both.

SECTION 2. Section 502.015(b), Health and Safety Code, is amended to read as follows:

(b) The penalty may be in an amount not to exceed \$4,000 [~~\$2,000~~] a day for each violation, with a total not to exceed \$20,000 for that violation.

SECTION 3. Section 822.114(a), Health and Safety Code, is amended to read as follows:

(a) A person who violates Section 822.103(a) is liable for a civil penalty of not less than \$200 and not more than \$4,000 [~~\$2,000~~] for each animal with respect to which there is a violation and for each day the violation continues.

SECTION 4. (a) The change in law made by this Act to Section

1 401.383(b), Health and Safety Code, applies only to an offense  
2 committed on or after the effective date of this Act. An offense  
3 committed before the effective date of this Act is governed by the  
4 law in effect on the date the offense was committed, and the former  
5 law is continued in effect for that purpose. For purposes of this  
6 section, an offense was committed before the effective date of this  
7 Act if any element of the offense occurred before that date.

8 (b) The changes in law made by this Act to Sections  
9 502.015(b) and 822.114(a), Health and Safety Code, apply only to  
10 conduct occurring on or after the effective date of this Act.  
11 Conduct occurring before the effective date of this Act is governed  
12 by the law in effect on the date the conduct occurred, and the  
13 former law is continued in effect for that purpose.

14 SECTION 5. This Act takes effect September 1, 2011.