

By: Price

H.B. No. 1919

A BILL TO BE ENTITLED

AN ACT

relating to a defense to prosecution for the offense of cruelty to nonlivestock animals under certain circumstances.

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

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

(d) It is a defense to prosecution under this section that:

(1) the actor had a reasonable fear of:

(A) bodily injury to the actor or to another person by a dangerous wild animal as defined by Section 822.101, Health and Safety Code; or

(B) serious bodily injury to the actor or to another person by a dog as defined by Section 822.041, Health and Safety Code; or

(2) the actor was engaged in bona fide experimentation for scientific research.

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 governed 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 occurred before that date.

SECTION 3. This Act takes effect September 1, 2011.