

BILL ANALYSIS

H.B. 1425
By: Moody
Criminal Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Under current law, a protective order may prohibit a party from removing pets, companion animals, or assistance animals from the possession of a person named in the order. Interested parties note that the offense of stalking is often a concern closely associated with a protective order and that prohibited acts relating to stalking include threats to harm a person's property. However, stalking laws do not define property, which has reportedly created an ambiguity as to whether pets are covered under these laws. H.B. 1425 seeks to clarify this issue by specifically including a pet, companion animal, or assistance animal within the definition of property with respect to the basis of a stalking offense.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 1425 amends the Penal Code to specify that "property," for purposes of statutory provisions relating to the offense of stalking, includes a pet, companion animal, or assistance animal.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2013.