

## **BILL ANALYSIS**

S.B. 555  
By: Davis  
Judiciary & Civil Jurisprudence  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Interested parties assert that perpetrators of domestic violence often threaten or harm pets as a means to intimidate and gain leverage over their victims. Some victims of domestic violence may refuse to leave an unsafe environment out of concern for a pet they would have to leave behind or must leave in such a hurry that they are unable to take their pets with them. Recent legislation allowed a judge to provide for the protection of a person's pet, companion animal, or assistance animal under certain circumstances through a protective order. S.B. 555 seeks to clarify current law relating to provisions in protective orders regarding pets and other companion animals to further protect the pet of a person named in or protected by certain protective orders.

### **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**

S.B. 555 amends the Family Code, in a statutory provision regarding protective orders that apply to any party and in a statutory provision regarding a protective order that applies to a person who committed family violence, to make such protective orders regarding a pet, companion animal, or assistance animal possessed by a person named in or protected by the order applicable to such animals in the actual or constructive care of the person.

S.B. 555 amends the Penal Code to specify, for purposes of statutory provisions establishing the conduct that constitutes an offense relating to the violation of certain court orders or conditions of bond in a family violence case, that possession of a pet, companion animal, or assistance animal by a person means actual care, custody, control, or management of a pet, companion animal, or assistance animal by the person or constructive possession of a pet, companion animal, or assistance animal owned by the person or for which the person has been the primary caregiver.

### **EFFECTIVE DATE**

September 1, 2013.