

BILL ANALYSIS

S.B. 361
By: Huffman
Business & Industry
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Concerns have been raised that due to the cost of purchasing a pet from a retailer or breeder, certain financing practices that may be damaging to the circumstances of lower-income or less informed buyers and to the pets themselves may be becoming more prevalent. S.B. 361 seeks to address these concerns by prohibiting the use of these types of financing in the sale of a pet.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

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. 361 amends the Business & Commerce Code to prohibit a contract or financing for the transfer of a pet from making ownership of the pet contingent upon the buyer making payments after the transfer of possession of the pet to the buyer, from providing for the lease of a pet with the option to purchase the pet at the end of the lease term, or from authorizing the use of the pet as collateral that may be repossessed by the seller. The bill voids a contract entered into in violation of the bill's provisions. The bill expressly does not prohibit the purchase of a pet using an unsecured personal loan. The bill defines "pet" as a domesticated animal, excluding livestock, that is owned by an individual and kept in or near the household of the individual for the primary purpose of companionship. The bill defines "livestock" by reference.

EFFECTIVE DATE

September 1, 2019.