By:  Farrar H.B. No. 3900

A BILL TO BE ENTITLED

AN ACT

relating to increasing the criminal penalty of cruelty to nonlivestock animals.

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

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

Section 42.092. CRUELTY TO NONLIVESTOCK ANIMALS

(a)  (9) "Deadly Weapon" has the meaning assigned by Section 1.07 (a) (17)(A) & (B)

(c)  An offense under Subsection (b) (3), (4), (5), (6), or (9) is a Class A misdemeanor, except that the offense is a state jail felony if the person has previously been convicted two times under this section, two times under Section 42.09, or one time under this section and one time under Section 42.09, or intentionally or knowingly committed the offense with the use of a deadly weapon.

(c-1)  An offense under Subsection (b) (1) or (2) is a felony of a third degree, except that the offense is a felony of the second degree if the person has a previously been convicted under Subsection (b)(1), (2), (7), or (8) or under Section 42.09, or intentionally or knowingly committed the offense with the use of a deadly weapon.

(c-2)  An offense under Subsection (b)(7) or (8) is a state jail felony , except that the offense is a felony of the third degree if the person has previously been convicted under this section or under Section 42.09, or intentionally or knowingly committed the offense with the use of a deadly weapon.

Section 2.  This Act takes effect September 1, 2019.