

By: Capriglione

H.B. No. 1097

A BILL TO BE ENTITLED

AN ACT

relating to certain contracts for the transfer of a pet.

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

SECTION 1. Title 99, Business & Commerce Code, is amended by adding Chapter 2005 to read as follows:

CHAPTER 2005. CERTAIN CONTRACTS FOR TRANSFER OF PETS PROHIBITED

Sec. 2005.001. DEFINITIONS. In this chapter:

(1) "Livestock animal" means an equine animal or an animal raised primarily for use as food for human consumption or to produce fiber for human use and includes horses, cattle, sheep, swine, goats, and poultry.

(2) "Pet" means a domesticated animal, including a cat or dog, that is owned by an individual and kept in or near the household of the individual for the primary purpose of companionship. The term does not include a livestock animal.

Sec. 2005.002. CERTAIN CONTRACTS FOR TRANSFER OF PET PROHIBITED. (a) A contract for the transfer of a pet or financing for the transfer of a pet may not:

(1) make ownership of the pet contingent upon the buyer making payments after the transfer of possession of the pet to the buyer;

(2) provide for the lease of a pet with the option to purchase the pet at the end of the lease term; or

(3) authorize the use of the pet as collateral that may

1 be repossessed by the seller.

2 (b) This section does not prohibit the purchase of a pet
3 using an unsecured personal loan.

4 Sec. 2005.003. CERTAIN CONTRACTS VOID. A contract entered
5 into in violation of this chapter is void.

6 SECTION 2. Chapter 2005, Business & Commerce Code, as added
7 by this Act, applies only to a contract for the transfer of a pet
8 entered into on or after the effective date of this Act. A contract
9 for the transfer of a pet entered into before the effective date of
10 this Act is governed by the law in effect on the date the contract is
11 entered into, and the former law is continued in effect for that
12 purpose.

13 SECTION 3. This Act takes effect September 1, 2019.