

BILL ANALYSIS

Senate Research Center
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H.B. 1818
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Business & Commerce
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

There are concerns that state law does not do enough to protect consumers and animals from commercial pet stores who are bad actors, which results in consumers purchasing animals with undisclosed health defects that can lead to increased veterinary costs and, in certain cases, even death of the animal. In addition, it is estimated that millions of dogs and cats are sold annually by breeders across the county, while dogs and cats that are in need of a home are left in shelters and euthanized.

H.B. 1818 seeks to address both issues by limiting the sources from which for-profit pet stores in more populous counties may legally obtain dogs or cats and requiring store owners to disclose the source of each dog or cat up for sale.

H.B. 1818 amends current law relating to the source of dogs and cats sold by pet stores and provides a civil penalty.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Title 6, Business & Commerce Code, by adding Chapter 205, as follows:

CHAPTER 205. SALE OF DOGS AND CATS BY PET STORES

Sec. 205.001. DEFINITIONS. Defines "animal control agency," "animal rescue organization," "animal shelter," and "pet store."

Sec. 205.002. SALE OF DOG OR CAT BY PET STORE. Prohibits a pet store from selling a dog or cat unless the pet store obtained the dog or cat from an animal control agency, an animal shelter, or an animal rescue organization.

Sec. 205.003. MAINTENANCE OF RECORDS. (a) Requires a pet store to maintain a record documenting from which animal control agency, animal shelter, or animal rescue organization the pet store obtained each dog or cat in the possession of the pet store for not less than one year following the date the pet store takes possession of the dog or cat.

(b) Requires a pet store to make the records maintained under this section reasonably available for inspection by an animal control agency, animal shelter, or animal rescue organization from which the pet store has received a dog or cat during the preceding 12 months.

Sec. 205.004. PUBLIC POSTING. Requires a pet store to post in a conspicuous location affixed to the enclosure of each dog or cat available for sale the name of the animal control agency, animal shelter, or animal rescue organization from which the pet store obtained the dog or cat.

Sec. 205.005. CIVIL PENALTY. Provides that a pet store that violates Section 205.002 is liable to this state for a civil penalty in an amount not to exceed \$500 for each dog or cat sold in violation of that section. Authorizes the attorney general to bring an action to collect the civil penalty imposed under this section.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 2021.