

By: Ordaz Perez

H.B. No. 3710

A BILL TO BE ENTITLED

AN ACT

relating to a prohibition on public contact with certain animals;
imposing a civil penalty; creating a criminal offense.

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

SECTION 1. Chapter 822, Health and Safety Code, is amended
by adding Subchapter F to read as follows:

SUBCHAPTER F. PUBLIC CONTACT WITH CERTAIN ANIMALS PROHIBITED

Sec. 822.151. APPLICABILITY. This subchapter applies only
to the following animals:

(A) a bear;

(B) a cougar;

(C) an elephant;

(D) a jaguar;

(E) a leopard;

(F) a lion;

(G) a nonhuman primate;

(H) a snow leopard; and

(I) a tiger.

Sec. 822.152. DIRECT CONTACT PROHIBITED. A person may not
allow a member of the public to have direct contact with an animal
described by Section 822.151. For purposes of this subsection,
direct contact includes allowing a member of the public to be in
close proximity to an animal in an area without a permanent physical
barrier preventing contact between the public and the animal.

1 Sec. 822.153. CIVIL PENALTY. (a) A person who violates
2 Section 822.152 is liable for a civil penalty of not less than \$200
3 and not more than \$2,000 for each animal subject to the violation
4 and for each day the violation continues.

5 (b) The attorney general or the appropriate district or
6 county attorney may:

7 (1) bring an action on behalf of this state to collect
8 the civil penalty under this section; and

9 (2) recover attorney's fees and costs incurred in
10 bringing the action.

11 Sec. 822.154. CRIMINAL OFFENSE; PENALTY. (a) A person
12 commits an offense if the person violates Section 822.152. Each
13 animal subject to a violation and each day a violation continues is
14 a separate offense.

15 (b) An offense under this section is a Class A misdemeanor.

16 Sec. 822.155. EFFECT OF SUBCHAPTER ON OTHER LAW. This
17 subchapter does not preempt a local regulation relating to an
18 animal described by Section 822.151 or affect the authority of a
19 political subdivision to adopt or enforce an ordinance or
20 requirement relating to an animal described by that section if the
21 regulation, ordinance, or requirement:

22 (1) is compatible with and equal to or more stringent
23 than a requirement prescribed by this subchapter; or

24 (2) relates to an issue not specifically addressed by
25 this subchapter.

26 SECTION 2. This Act takes effect September 1, 2021.