H.B. No. 598

AN ACT

relating to creating the criminal offense of possession of an animal by a person who has been previously convicted of an offense involving animal cruelty.

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

SECTION 1.  Chapter 42, Penal Code, is amended by adding Section 42.107 to read as follows:

Sec. 42.107.  POSSESSION OF ANIMAL BY PERSON CONVICTED OF ANIMAL CRUELTY. (a) A person commits an offense if the person:

(1)  possesses or exercises control over an animal; and

(2)  within the five-year period preceding the date of the instant offense, has been previously convicted of an offense under:

(A)  Section 42.091, 42.092, or 42.10; or

(B)  federal law or a penal law of another state containing elements that are substantially similar to the elements of an offense described by Paragraph (A).

(b)  An offense under this section is a Class C misdemeanor, except that the offense is a Class B misdemeanor if the defendant has been previously convicted of an offense under this section.

SECTION 2.  This Act takes effect September 1, 2023.

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    President of the Senate Speaker of the House

I certify that H.B. No. 598 was passed by the House on April 19, 2023, by the following vote:  Yeas 147, Nays 0, 1 present, not voting.

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Chief Clerk of the House

I certify that H.B. No. 598 was passed by the Senate on May 11, 2023, by the following vote:  Yeas 30, Nays 0.

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Secretary of the Senate

APPROVED:  \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

                    Date

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                  Governor