88R15619 AJZ-D

By:  Shaheen H.B. No. 598

Substitute the following for H.B. No. 598:

By:  Moody C.S.H.B. No. 598

A BILL TO BE ENTITLED

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 or resides in a household in which an animal is present; 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, 42.10, or 42.105; 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.