88R22795 DIO-D

By:  Buckley, Patterson, Lalani, et al. H.B. No. 2238

Substitute the following for H.B. No. 2238:

By:  King of Hemphill C.S.H.B. No. 2238

A BILL TO BE ENTITLED

AN ACT

relating to the licensing and regulation of dog and cat breeders; expanding the applicability of an occupational license.

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

SECTION 1.  Section 802.002(8), Occupations Code, is amended to read as follows:

(8)  "Dog or cat breeder" means a person who possesses five [~~11~~] or more adult intact female animals and is engaged in the business of breeding those animals for direct or indirect sale or for exchange in return for consideration [~~and who sells or exchanges, or offers to sell or exchange, not fewer than 20 animals in a calendar year~~].

SECTION 2.  Sections 802.005(a) and (b), Occupations Code, are amended to read as follows:

(a)  This section applies only to a dog bred with the intent that it be used primarily for:

(1)  herding livestock, as defined by Section 1.003, Agriculture Code, or other agricultural uses;

(2)  hunting, including tracking, chasing, pointing, flushing, or retrieving game; or

(3)  competing in field trials, hunting tests, breed or conformation shows, or similar organized performance events.

(b)  This chapter does not apply to a person to the extent the person breeds dogs described by Subsection (a) for personal, noncommercial use. A person described by this subsection may conduct direct or indirect sales or exchanges in return for consideration of dogs described by Subsection (a).

SECTION 3.  As soon as practicable after the effective date of this Act, the Texas Department of Licensing and Regulation shall prescribe the forms and procedures necessary to implement the changes in law made by this Act.

SECTION 4.  Notwithstanding Section 802.002(8), Occupations Code, as amended by this Act, a dog or cat breeder who possesses five or more but fewer than 11 adult intact female animals and is engaged in the business of breeding those animals for direct or indirect sale or for exchange in return for consideration is not required to hold a license under Chapter 802, Occupations Code, to act as a dog or cat breeder before January 1, 2024.

SECTION 5.  This Act takes effect September 1, 2023.