

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

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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