

By: Shaheen

H.B. No. 598

A BILL TO BE ENTITLED

1 AN ACT
2 relating to creating the criminal offense of possession of an
3 animal by a person who has been previously convicted of an offense
4 involving animal cruelty.

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

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

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

10 (1) possesses or exercises control over an animal or
11 resides in a household in which an animal is present; and

12 (2) has been previously convicted of an offense under:

13 (A) Section 42.091, 42.092, 42.10, or 42.105; or

14 (B) federal law or a penal law of another state

15 containing elements that are substantially similar to the elements
16 of an offense described by Paragraph (A).

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

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