

1-1 By: Shaheen, Bhojani (Senate Sponsor - Whitmire) H.B. No. 598  
 1-2 (In the Senate - Received from the House April 20, 2023;  
 1-3 April 25, 2023, read first time and referred to Committee on  
 1-4 Criminal Justice; May 3, 2023, reported favorably by the following  
 1-5 vote: Yeas 5, Nays 0; May 3, 2023, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7 Whitmire	X			
1-8 Flores	X			
1-9 Bettencourt	X			
1-10 Hinojosa	X			
1-11 Huffman	X			
1-12 King			X	
1-13 Miles			X	

1-15 A BILL TO BE ENTITLED  
 1-16 AN ACT

1-17 relating to creating the criminal offense of possession of an  
 1-18 animal by a person who has been previously convicted of an offense  
 1-19 involving animal cruelty.

1-20 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-21 SECTION 1. Chapter 42, Penal Code, is amended by adding  
 1-22 Section 42.107 to read as follows:

1-23 Sec. 42.107. POSSESSION OF ANIMAL BY PERSON CONVICTED OF  
 1-24 ANIMAL CRUELTY. (a) A person commits an offense if the person:

1-25 (1) possesses or exercises control over an animal; and

1-26 (2) within the five-year period preceding the date of  
 1-27 the instant offense, has been previously convicted of an offense  
 1-28 under:

1-29 (A) Section 42.091, 42.092, or 42.10; or

1-30 (B) federal law or a penal law of another state  
 1-31 containing elements that are substantially similar to the elements  
 1-32 of an offense described by Paragraph (A).

1-33 (b) An offense under this section is a Class C misdemeanor,  
 1-34 except that the offense is a Class B misdemeanor if the defendant  
 1-35 has been previously convicted of an offense under this section.

1-36 SECTION 2. This Act takes effect September 1, 2023.

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