

By: Talarico

H.B. No. 2063

A BILL TO BE ENTITLED

AN ACT

relating to informed consent obtained before a dog or cat may be boarded at a kennel and left unattended when employees are not present; creating a criminal offense.

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

SECTION 1. Title 10, Health and Safety Code, is amended by adding Chapter 824 to read as follows:

CHAPTER 824. KENNELS

Sec. 824.001. DEFINITION. In this chapter, "kennel" means a facility, including a veterinary medicine clinic, that provides boarding and related services to dogs or cats for breeding, sheltering, training, hunting, or similar purposes in exchange for compensation or other consideration.

Sec. 824.002. EXCEPTIONS TO APPLICABILITY OF CHAPTER. This chapter does not apply to:

- (1) an animal shelter as defined by Chapter 823; or
- (2) a kennel that boards not more than three dogs or cats at any time.

Sec. 824.003. REQUIRED INFORMED CONSENT FOR BOARDING OR PROVIDING SERVICES TO DOG OR CAT WHEN EMPLOYEES ARE NOT PRESENT. A kennel owner or operator who is boarding or providing services to a dog or cat at the kennel may not leave the dog or cat unattended without an employee present unless:

- (1) the kennel owner or operator provides written

1 notice to the owner of the dog or cat that the dog or cat will be
2 left unattended at the kennel without an employee present during
3 the hours specified in the notice; and

4 (2) the owner of the dog or cat provides to the kennel
5 owner or operator a signed document consenting to the dog or cat
6 being left unattended as provided in the notice.

7 Sec. 824.004. CRIMINAL PENALTY. (a) A kennel owner or
8 operator commits an offense if:

9 (1) the owner or operator violates Section 824.003;
10 and

11 (2) a dog or cat boarded at or receiving services from
12 the kennel is injured or dies when left unattended at the kennel.

13 (b) An offense under this section is a Class B misdemeanor.

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