

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

1  
2 relating to the licensing and regulation of dog and cat breeders;  
3 expanding the applicability of an occupational license.

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

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

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

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

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

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

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

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

23 (b) This chapter does not apply to a person to the extent the  
24 person breeds dogs described by Subsection (a) for personal,

1 noncommercial use. A person described by this subsection may  
2 conduct direct or indirect sales or exchanges in return for  
3 consideration of dogs described by Subsection (a).

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

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

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