A BILL TO BE ENTITLED

AN ACT
relating to the improper use and treatment of an assistance animal or service animal; increasing a criminal penalty.

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

SECTION 1. Section 121.006, Human Resources Code, is amended to read as follows:

Sec. 121.006. (a) A person commits an offense if the person intentionally or knowingly represents that an animal is an assistance animal or a specially trained service animal when the animal is not specially trained or equipped to help a person with a disability. An offense under this subsection is guilty of a misdemeanor punishable by:

(1) a fine of not more than $1,000; and

(2) 30 hours of community service to be performed for a governmental entity or nonprofit organization that primarily serves persons with visual impairments or other disabilities, or for another entity or organization at the discretion of the court, to be completed in not more than one year.

(b) A person who habitually abuses or neglects to feed or
otherwise neglects to properly care for the person's [his or her] assistance animal or service animal is subject to seizure of the animal under Subchapter B, Chapter 821, Health and Safety Code.

SECTION 2. Section 121.006(a), Human Resources Code, as amended by this Act, applies only to an offense committed on or after the effective date of this Act. An offense committed before the effective date of this Act is governed by the law in effect when the offense was committed, and the former law is continued in effect for that purpose. For purposes of this section, an offense was committed before the effective date of this Act if any element of the offense occurred before that date.

SECTION 3. This Act takes effect September 1, 2023.