

BILL ANALYSIS

H.B. 4768
By: Phelan
Licensing & Administrative Procedures
Committee Report (Unamended)

BACKGROUND AND PURPOSE

The bill author has informed the committee of the need for enhanced educational requirements for defendants convicted of animal cruelty or other animal-related offenses, particularly to address the lack of a structured educational component in community supervision for these defendants and ensure that they are properly educated on responsible pet care, animal cruelty laws, and animal bite prevention in order to reduce the likelihood of repeat offenses and improve community safety. H.B. 4768 seeks to address this issue by revising the conditions of community supervision for defendants convicted of certain criminal offenses involving animals.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 4768 amends the Code of Criminal Procedure to do the following with respect to the authorization for a judge who grants community supervision to a defendant convicted of a cruelty to livestock or nonlivestock animals, attack on assistance animal, or dog fighting offense to require the defendant to complete an online responsible pet owner course approved and certified by the Texas Department of Licensing and Regulation (TDLR) or to attend a responsible pet owner course sponsored by a municipal animal shelter:

- with respect to an online course, remove the condition that the course is approved and certified by TDLR and add the condition that the course is at least two hours in duration; and
- with respect to a course sponsored by a municipal animal shelter, replace the condition that the defendant attend the course with the condition that the defendant complete the course.

H.B. 4768 requires an online responsible pet owner course to include information regarding the following topics:

- federal and state laws that protect livestock animals, nonlivestock animals, and wildlife, including animal cruelty laws, dogfighting laws, and laws prohibiting attacks on assistance animals;
- responsible care for animals, including spaying, neutering, and tethering animals, and generally providing for the health, safety, and welfare of livestock animals, nonlivestock animals, and wildlife;
- animal bite prevention; and

- laws governing dog and cat breeders under the Dog or Cat Breeders Act.

H.B. 4768 removes the provision establishing that TDLR or the Texas Commission of Licensing and Regulation (TCLR), as appropriate, is responsible for the approval, certification, and administration of the online responsible pet owner course and course providers. The bill accordingly removes the following provisions relating to such responsibility that apply to TDLR or TCLR as appropriate:

- the authorization to charge fees for course certifications, course provider certifications, and course participant completion certificates and other fees necessary for the administration of the course and course providers;
- the requirement to adopt rules regarding the administration of the course and course providers;
- the authorization to monitor and audit the provision of the course by the course providers; and
- the authorization to take enforcement actions as appropriate.

H.B. 4768 applies to a defendant placed on community supervision on or after the bill's effective date, regardless of whether the offense for which the defendant was placed on community supervision was committed before, on, or after the bill's effective date.

EFFECTIVE DATE

September 1, 2025.