

BILL ANALYSIS

Senate Research Center
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S.B. 2969
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Criminal Justice
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Facilities that house animals for public visitation, conservation, education, or science—such as zoos—have experienced incidents of unauthorized entry into animal enclosures, resulting in harm to animals, property damage, and significant safety concerns. Current Texas law does not specifically address the criminal implications of trespassing in these sensitive and controlled environments.

S.B. 2969 creates a new criminal offense for trespassing in a facility housing animals, particularly when a person unlawfully enters an enclosure or cage where animals are kept. The bill enhances penalties when the trespass results in the harassment, injury, or death of an animal, and requires restitution for any resulting property damage or animal harm. This legislation seeks to deter reckless or malicious behavior around animals in regulated facilities, protect animal welfare, and ensure facilities are not financially burdened by the consequences of such intrusions.

As proposed, S.B. 2969 amends current law relating to the creation of the criminal offense of trespass in a facility housing an animal and to restitution for property damage resulting from that trespass.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 30, Penal Code, by adding Section 30.08, as follows:

Sec. 30.08. TRESPASS IN FACILITY HOUSING AN ANIMAL. (a) Defines "harass."

(b) Provides that a person commits an offense if the person enters an indoor or outdoor facility housing an animal that is operated for the purpose of public visitation, conservation, education, or science, including a zoo, and the person enters a cage, enclosure, or other area where an animal is exhibited or housed and knows the person has no legal authority, license, or permission to enter.

(c) Provides that an offense under this section is a state jail felony, except that the offense is a felony of the third degree if it is shown on the trial of the offense that the actor harassed the animal and the animal suffered injury or death.

(d) Provides that it is a defense to prosecution under this section that the person entered the cage, enclosure, or other area to aid another person or an animal located in the cage, enclosure, or other area.

(e) Provides that it is not a defense to prosecution under this section that entry to the cage, enclosure, or other area where the animal was exhibited or housed was not sufficiently guarded, locked, or made otherwise inaccessible or injury to the animal was necessary to protect the person from injury or death.

SECTION 2. Amends Article 42.037, Code of Criminal Procedure, by adding Subsection (y) to require the court, if a defendant is convicted of an offense under Section 30.08, Penal Code, to order the defendant to make restitution to the facility for the cost of any damage, loss, or destruction as a result of the offense, including the injury or death of the animal.

SECTION 3. Effective date: September 1, 2025.