

By: Gervin-Hawkins

H.B. No. 1720

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the creation of the criminal offense of trespass in a
3 facility housing an animal and to restitution for property damage
4 resulting from that trespass.

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

6 SECTION 1. Chapter 30, Penal Code, is amended by adding
7 Section 30.08 to read as follows:

8 Sec. 30.08. TRESPASS IN FACILITY HOUSING AN ANIMAL. (a) In
9 this section, "harass" means to engage in any act that:

10 (1) demonstrates a disregard for the well-being of an
11 animal; or

12 (2) disrupts the normal behavior patterns of an
13 animal, including disrupting the animal's feeding, watering,
14 resting, or breeding.

15 (b) A person commits an offense if the person enters an
16 indoor or outdoor facility housing an animal that is operated for
17 the purpose of public visitation, conservation, education, or
18 science, including a zoo, and the person:

19 (1) enters a cage, enclosure, or other area where an
20 animal is exhibited or housed; and

21 (2) knows the person has no legal authority, license,
22 or permission to enter.

23 (c) An offense under this section is a state jail felony,
24 except that the offense is a felony of the third degree if it is

1 shown on the trial of the offense that:

2 (1) the actor harassed the animal; and

3 (2) the animal suffered injury or death.

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

7 (e) It is not a defense to prosecution under this section
8 that:

9 (1) entry to the cage, enclosure, or other area where
10 the animal was exhibited or housed was not sufficiently guarded,
11 locked, or made otherwise inaccessible; or

12 (2) injury to the animal was necessary to protect the
13 person from injury or death.

14 SECTION 2. Article 42.037, Code of Criminal Procedure, is
15 amended by adding Subsection (y) to read as follows:

16 (y) If a defendant is convicted of an offense under Section
17 30.08, Penal Code, the court shall order the defendant to make
18 restitution to the facility for the cost of any damage, loss, or
19 destruction as a result of the offense, including the injury or
20 death of the animal.

21 SECTION 3. This Act takes effect September 1, 2025.