

By: Patterson

H.B. No. 3458

A BILL TO BE ENTITLED

AN ACT

relating to the source of dogs and cats sold by pet stores;  
providing a civil penalty.

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

SECTION 1. Title 6, Business & Commerce Code, is amended by  
adding Chapter 206 to read as follows:

CHAPTER 206. PROHIBITION ON SALE OF DOGS AND CATS BY PET STORES

Sec. 206.001. DEFINITION. In this chapter, "pet store"  
means a retail establishment that sells, offers to sell, or  
facilitates the sale of animals not bred by the retail  
establishment. The term does not include an individual who sells,  
offers to sell, gives, or otherwise transfers dogs or cats raised or  
bred, or both raised and bred, by the individual.

Sec. 206.002. PROHIBITION ON SALE OR OFFER FOR SALE OF DOG  
OR CAT BY PET STORE. (a) Except as otherwise provided by this  
section, a pet store may not sell a dog or cat.

(b) A pet store may provide space for the following entities  
to showcase dogs or cats owned by the entities for the purpose of  
adoption:

(1) an animal control agency, as that term is defined  
by Section 92.001, Civil Practice and Remedies Code, or another  
facility operated under contract with a governmental entity for the  
purpose of collecting, impounding, or keeping stray, homeless,  
abandoned, or unwanted dogs and cats that does not:

1           (A) obtain dogs or cats for compensation; or

2           (B) resell dogs or cats; or

3           (2) a nonprofit private organization that is exempt  
4 from taxation under Section 501(a), Internal Revenue Code of 1986,  
5 as an organization described by Section 501(c)(3) of that code,  
6 that accepts homeless or unwanted dogs or cats with the purpose of  
7 finding permanent homes for the dogs or cats, including an  
8 organization that does not operate out of its own building but  
9 houses dogs and cats in foster homes, and that:

10           (A) does not breed dogs or cats;

11           (B) does not obtain dogs or cats for  
12 compensation;

13           (C) is not located on the same premises as a  
14 breeder or animal broker; and

15           (D) does not maintain any employee, volunteer, or  
16 other personnel who is also an employee, volunteer, or other  
17 personnel for a breeder or animal broker.

18           (c) A pet store that provides a space for an entity  
19 described by Subsection (b) to showcase dogs or cats owned by the  
20 entity for the purpose of adoption or purchase may not:

21           (1) have an ownership interest in the dogs or cats  
22 offered for adoption; or

23           (2) receive a fee for providing a space for the  
24 showcase.

25           Sec. 206.003. CIVIL PENALTY; INJUNCTION. (a) A pet store  
26 that violates Section 206.002 is liable to this state for a civil  
27 penalty in an amount not to exceed \$500 per day for each dog or cat

1 sold or offered for sale in violation of that section.

2 (b) The attorney general may bring an action to:

3 (1) collect the civil penalty imposed under this  
4 section; or

5 (2) obtain a temporary or permanent injunction to  
6 restrain the violation.

7 SECTION 2. The change in law made by this Act applies only  
8 to a dog or cat obtained by a pet store on or after the effective  
9 date of this Act. A dog or cat obtained by a pet store before the  
10 effective date of this Act is governed by the law in effect on the  
11 date the dog or cat was obtained, and the former law is continued in  
12 effect for that purpose.

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