

ANIMAL LAW SECTION: 2023 Legislative Update –

**Shelby L. Bobosky, Esq., Executive
Director**



Texas Humane Legislation Network

- Created in 1975: c4 non-profit – social welfare non-profit
- Mission: to promote the humane treatment of animals through legislation and advocacy
- Passing animal protection laws for 45 years
- THLN endorses candidates, participates in legislation with grassroots lobbying for animals



TEXAS HUMANE
LEGISLATION
NETWORK®

LEGISLATE TO CHANGE THEIR FATE®



Texas Humane Network

- Created in 2020 (c3 non-profit)
- Mission: to promote the humane treatment of animals through education and training
- Humane Curriculum
- Ordinances
- Animal Cruelty Training
- Junior Advocates
- Hotline/Emails



Why go through the legislative process – Animal Friendly License Plate

ANIMAL FRIENDLY LICENSE PLATES



In 1997, **THLN** passed H.B. 3250, which created an “animal-friendly” fund for the state through the sale of specialty license plates. We continually monitor this fund each legislative session to ensure that the money continues to be used for its intended purpose.

Thanks to Texas drivers’ support of this bill, as of December 2019:



\$6,188,076

has been awarded to cover low-cost spays and neuters

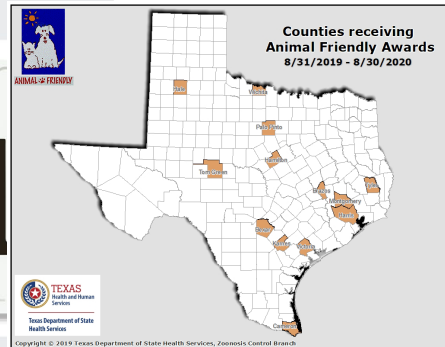


105,001

dogs and cats in Texas have been sterilized



Additionally, **all of these animals are seen by a veterinarian**, increasing the probability that appropriate vaccinations will be administered and **preventing the spread of deadly diseases.**



Of the \$30, \$22 goes to the S/N fund.

Texas Transportation Code Section 504.605 - Animal Friendly License Plates.

THLN continually monitors the fund each legislative session to ensure that the monies continue to be used for their intended purpose and are not held back by the Legislature for any reason.

ORDER YOUR ANIMAL FRIENDLY LICENSE PLATE TODAY

Why are updating laws important?

Pritchard Case – May 2017

- Pritchard argued that a deadly weapon finding was improper when the only thing injured or killed as a result of a defendant's criminal conduct was an animal rather than a human.
- The trial court upheld a deadly weapon finding rejecting Prichard's argument in which he was convicted of animal cruelty and *deadly force was directed only against a dog*.
- The Court of Criminal Appeals concluded that the language of the deadly weapon statute was ambiguous with respect to whether a deadly weapon finding may be made for weapons used or exhibited against nonhumans, and thus, the Court considered extra-textual factors to discern the Legislature's intent as to this matter. The Court determined that an analysis of those factors supported its determination *that a deadly weapon finding may be made for human victims only*.
- Judgment of the court of appeals was reversed.

TEXAS ANIMAL CRUELTY AMENDMENTS



THLN has been working to make changes to TX legislation for the benefit of animals since 1975.



Uvalde, Texas (2022): “No known acts of criminal behavior.”

- The accused mass shooter who carried out the deadly attack at a Uvalde, Texas, elementary school committed animal abuse and displayed videos of the cruelty to users on social media platforms.
- A Yubo social media account (sixty million subscribers) reportedly belonging to the suspected Uvalde shooter revealed the teen sought fame like the murderer in “Don't F*** With Cats.”
- In some instances, the alleged animal abuse was committed in public and then posted for online viewing, and the 18-year-old mass shooter allegedly boasted about how he and his friends did it "all the time.”
- A graphic video showed him carrying a bag full of dead cats as he's seen sitting in the passenger seat of car. He is holding a clear bag with two dead cats stuffed inside the blood soaked bag. The 18-year-old is seen grinning and shows no remorse while holding the dead cats.
- Ramos had compared himself to the Netflix show, Don't F*** With Cats, a true-crime docuseries where a group of internet sleuths launched a manhunt for Canadian actor Luka Magnotta back in 2010. Magnotta, real name Eric Clinton Kirk Newman, gained online infamy after sharing a graphic video of himself killing two kittens. According to the Yubo user, Ramos said he "wanted his name out there like that.”

Statement:

Association of Prosecuting Attorneys

June 6, 2022

The events of the horrific shooting at Robb Elementary School in Uvalde, Texas are devastating, and words cannot express the sorrow and heartbreak we at APA feel for the loved ones of those who passed away and the Uvalde community as a whole.

Prosecutors, law enforcement, and other criminal justice actors must not only recognize red flags in troubled individuals early on, but also take them seriously. **A history of animal abuse and/or domestic violence are often common denominators in those who eventually go on to commit mass shootings. Intervention is key to saving lives.**

APA has continually worked with community partners and other criminal justice actors to create resources and trainings that provide prosecutors with the tools necessary to identify and address red flags in the early stages. APA has also published policy statements on gun violence, **animal cruelty, and domestic violence** to guide prosecutors on these important issues.

David LaBahn

President & CEO

!! NACA ALERT !! ACROSS THE U.S., ANIMAL SERVICES AGENCIES FACE UNPRECEDENTED HARDSHIPS!

In 2022, animal services and animal control organizations across the U.S. are experiencing:

- ***Short-staffing*** (in all positions, especially forward-facing staff, animal control officers, veterinarians, and customer service representatives due to comparably low salaries, difficulty, and stress of working conditions and environment, and slow hiring processes);
- ***Higher-than-usual animal inventories*** (due to pet adoptions and transports slowing dramatically, and both cats and dogs are spending up to twice the number of days);
- ***Veterinarian Shortage***; and
- ***Record-reported levels of stress/burnout among workers*** (stress of the pandemic has increased the number of emotionally charged instances and officers and shelter staff report a higher-than-usual number of negative interactions with the public, including people experiencing mental health crises and residents who are combative with shelter and animal control staff and volunteers).

Do elected officials understand animal issues?

How NOT to lobby your elected officials?



Animals in Texas Politics in 2022-23



**Dogs don't have thumbs,
so they need **you** to take action!**

**NATIONAL
DOGS IN POLITICS DAY**

Help us be their voice in the Capitol
and keep dogs in politics at
thln.org/donate.

#DogsInPoliticsDay

TEXAS HUMANE
LEGISLATION
NETWORK



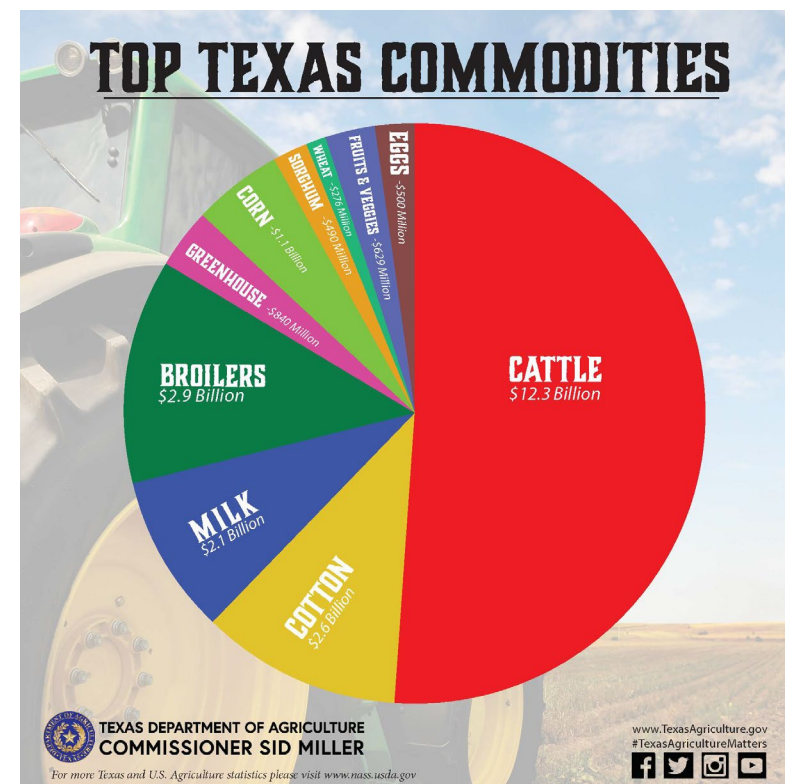
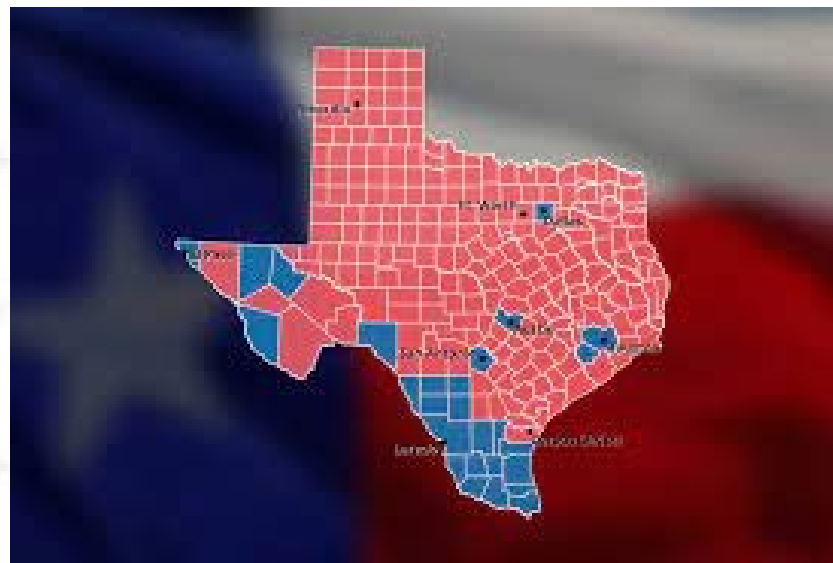
Why are Texas Politics different?



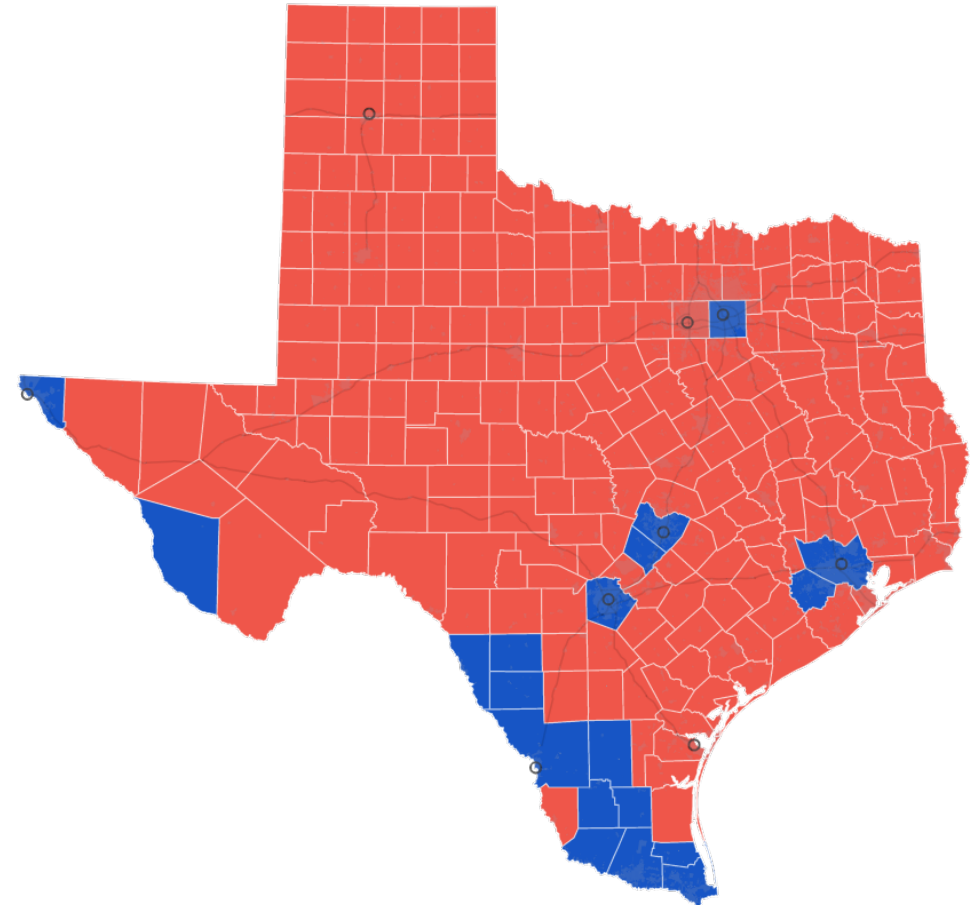
Don't California my
TEXAS



COME AND TAKE IT



2022 Election Results



2022 Election Results

TEXAS SENATE

Every seat in the 31-member Texas Senate is on the ballot because the districts were redrawn last year.

- For the last two years, the balance of power in the Texas Senate has looked like this:
 - 13 Democrats/18 Republicans
- 2023:
 - 12 Democrats/19 Republicans

TEXAS HOUSE OF REPRESENTATIVES

There are 150 members of the Texas House. Each state representative serves a two-year term. This election takes place under a new map drawn by legislators.

- For the last two years, the balance of power in the Texas House has looked like this:
 - 65 Democrats/85 Republicans
- 2023:
 - 64 Democrats/86 Republicans



The Texas Legislature

- Convenes every other year in odd numbered years (2019, 2021, 2023)
- 140 days in duration (20 weeks) – in reality, only 95+/- “workdays”
 - Governor has 20 days post-sine die to approve/veto bill

In 2021:

- 6,921 bills filed (117 bills per day for 59 days)
- 3,803 passed and 21 were vetoed
- Over half of bills filed do NOT pass

**In 2021 – THLN followed over 100 bills!
Follow the bills at www.thln.org!**

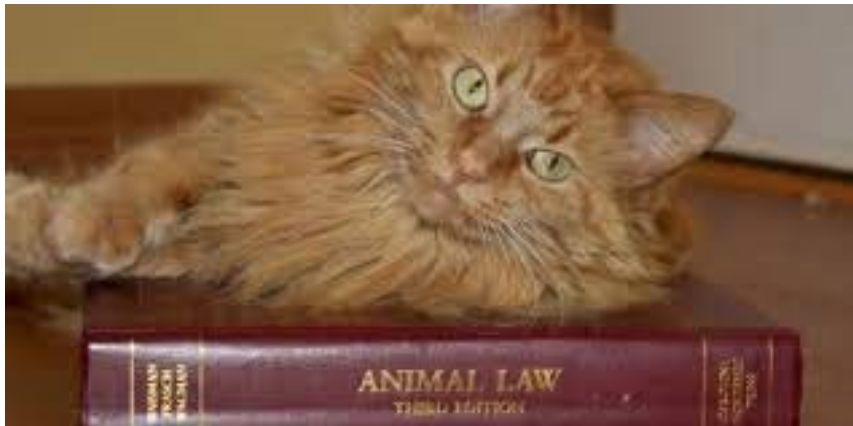
2023 88th Legislative Session

- **Regular Session begins January 10, 2023**
- **March 10, 2023: Deadline for the unrestricted filing of bills and joint resolutions.**
- **SINE DIE: Regular Session Ends May 29, 2023 (140th day)**



Where are the animal laws located?

- Texas state statutes involving animals are mostly contained in the **TEXAS HEALTH AND SAFETY CODE** and the **TEXAS PENAL CODE**.
- Several statutes authorize the **TEXAS DEPARTMENT OF STATE HEALTH SERVICES** to enact rules located in the **TEXAS ADMINISTRATIVE CODE**



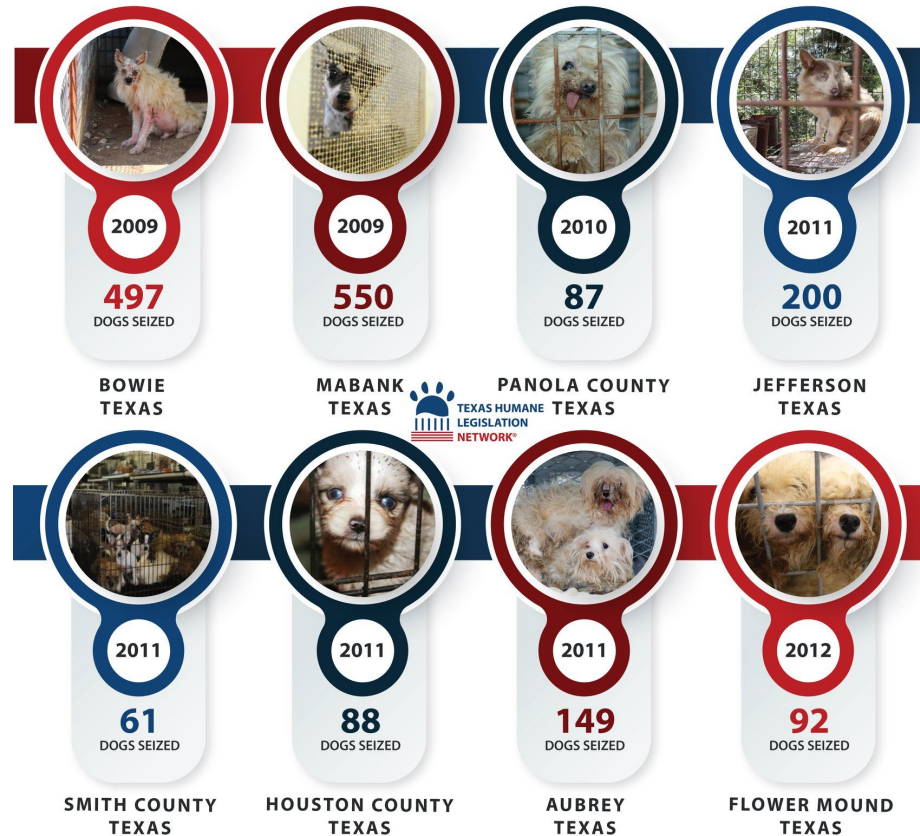
2021 LEGISLATIVE SESSION UPDATES



KEEP UP-TO-DATE AT [THLN.ORG/LEGISLATIVE_SESSION](https://thln.org/legislative_session)

The Texas Licensed **Breeders'** Program

BEFORE THE BREEDER PROGRAM



- In 2011, the Texas Licensed Breeders Program passed.
- Under current law, a person that possesses 11 intact females and sells or exchanges more than 20 dogs in a year must obtain a breeder's license.
- This program includes applying for a license, inspections and following the rules required in admin rules.
- 11-25: \$300; over 26: \$500
- Currently, there are less than 200 breeders licensed.

The Sunset Bill did not include the Texas Licensed Breeder Program

- The Texas Licensed Breeder Program was not included in the Sunset Bill (HB 1560)
- Over 500 comments in 2020 asking to save the Program
- AKC and RPOA publicly against the Program
- More breeders need to come under the Program
- 2023 session is time to revamp the Licensed Breeder Program



Other Breeder Related-Bills 2022

HB 3057 (Rep. Gervin-Hawkins)

Sec. 802.155. BILL OF SALE. (a) A licensed breeder shall provide to a purchaser a bill of sale for each animal sold or exchanged in return for consideration. The bill of sale must include:

- (1) the name and license number of the licensed breeder;
- (2) the name of the purchaser;
- (3) a description of the animal sold or exchanged;
- (4) the date of the sale or exchange;
- (5) the amount paid to the licensed breeder; and
- (6) a statement adopted by commission rule advising that dog and cat breeders are regulated by the department and including the department's name, mailing address, telephone numbers, and Internet website address.

(b) **A licensed breeder shall maintain a copy of each bill of sale.**

SB 323 (Sen. West)

SECTION 1. Section 802.002(8), Occupations Code, is amended to read as follows:

(8) "Dog or cat breeder" means a person who possesses five ~~[11]~~ or more adult intact female animals and is engaged in the business of breeding those animals for direct or indirect sale or for exchange in return for consideration ~~[and who sells or exchanges, or offers to sell or exchange, not fewer than 20 animals in a calendar year].~~

Safe Outdoor Dogs Act - Vetoed (HB 873/SB 474)

HB 873 "SAFE OUTDOOR DOGS BILL"

THANK YOU

AUTHORS



PRIMARY AUTHOR:
NICOLE COLLIER

JOINT AUTHORS



PACHECO



SHAHEEN



ORDAZ PEREZ



STUCKY

- 91 co-authors and sponsors
- 2 other bills brought by Rep. Shaheen and Rep. Pachenco
- Brought in 2015, 2017, 2019
- Defines adequate shelter
- Removes chains as a method of restraint
- Removes 24-hour warning so tickets are allowed at the scene

Safe Outdoor Dogs Act in 3rd Special Session - SB5

- Defining **adequate shelter** to protect dogs from extreme temperatures, inclement weather, and standing water. Previously, there was no definition for shelter, thus tethered dogs routinely perished from exposure.
- Requiring access to **drinkable water**. Before the Safe Outdoor Dogs Act, state law did not include this requirement.
- Requiring **safe restraints**. The Safe Outdoor Dogs Act strikes the use of chains. Other means of restraint, such as cable tie-outs, may be used so long as they are correctly attached to a collar or harness designed to restrain a dog.
- Arguably the most significant change wrought by the Safe Outdoor Dogs Act is removing the **24-hour warning period** that allowed bad actors to flout the law. Officers can take immediate action for tethered dogs in distress from now on.

Safe Outdoor Dogs Act in 3rd Special Session - SB5

Exceptions to the Safe Outdoor Dogs Act:

- Attached to a cable-tie out or trolley system.
- Camping or using other public recreational areas.
- Herding livestock or assisting with farming tasks.
- Hunting or participating in field trials.
- In an open-air truck bed while the owner completes a temporary task.

Effective Date January 18, 2022



**The Safe Outdoor
Dogs Act Goes Into Effect:
A New Day For Texas Dogs**

HB 2326 – Exotic Ownership (Rep. Frullo)



HB 2326 – Exotic Ownership (Rep. Frullo)

- **BACKGROUND:** Non-native Burmese Pythons have established a breeding population in South Florida and are one of the most concerning invasive species in Everglades.
- To bolster efforts to keep the species from invading Texas, TPWD asked to clarify current law and specifically name that Burmese Python as a nonindigenous snake requiring a permit to possess or transport in the state.
- HB 2326 amends the Parks and Wildlife Code to expand the scope of nonindigenous snake permits to include a constrictor that is a Burmese python, *Python bivittatus* and a hybrid of any kind of snake within the permit's scope.
- HB 2326 enhances from a Class C Parks and Wildlife Code misdemeanor to a Class B Parks and Wildlife Code misdemeanor for a subsequent conviction of the offense involving a violation of snake permits or a rule adopted under those provisions if it is shown at the trial that the defendant has engaged in a commercial activity without holding a required permit



HB 604 - Microchipping Bill

2019: SB 1855/HB 2347

Sen. Paxton/Rep. Noble

- Relating to a microchip scan of animals in the custody of an animal shelter or releasing agency.
- Constituent driven: two herding dogs were picked up and adopted in Oklahoma, found 2 yrs later.
- Granting Programs through the AKC.

THLN SUPPORTS HB 604

HB 604 would require that, as soon as practicable after an animal is placed in the custody of an animal shelter, the shelter scan the animal to determine whether a microchip is implanted in the animal.



NATIONAL CHIP YOUR PET MONTH

HB 604 - Microchipping Bill

Sec. 823.004. MICROCHIP SCAN REQUIRED. As soon as practicable after an animal is placed in the custody of an animal shelter or a releasing agency as defined by Section 828.001, the shelter or agency shall scan the animal to determine whether a microchip is implanted in the animal.

MICROCHIP SCAN

HB 604



AUTHOR
REP. NOBLE

STATUS
PASSED 



SIGNED & EFFECTIVE 9/1/2021

HB 1071 – Courthouse Dogs



HB 1071 – Courthouse Dogs



HB 1071 – Courthouse Dogs

- The prevalence of therapy dogs in courtrooms has increased in recent years as a means of helping traumatized victims who, over the course of giving witness testimony, may experience anxiety.
- In 2019, a federal law was introduced and passed in the senate to allow certified facility dogs into federal courtrooms for that purpose. However, facility or therapy animals are not allowed in any state courtrooms in Texas.
- HB 1071: authorizes the presence of a qualified facility dog or qualified therapy animal in certain court proceedings to help support Texans and help witnesses feel safe while supporting the justice system.
- The bill amends the Government Code to authorize a party to an action filed in a court in Texas to petition the court for an order authorizing a qualified facility dog or qualified therapy animal to be present with a witness who is testifying before the court through in-person testimony or closed-circuit video teleconferencing testimony.

Animal Possession Ban

- Compulsive animal hoarding occurs when a person acquires an excessive number of animals or objects *and is unwilling to part with them*.
- Studies show that the rate of recidivism for animal hoarding at 99%.
- Mental illness or animal cruelty?-mental illness (not included as a defined category under Texas animal cruelty law)
- **2021 law: The Animal Possession Ban**
It gives judges the discretion to prevent persons from possessing an animal if they are sentenced to community supervision for attacking an assistance animal, committing cruelty against non-livestock animals, dogfighting, or cockfighting. It also permits judges to require psychological counseling as a condition of supervision. It will not only prevent offenders from harming more animals, it will also provide a path to treatment for offenders before they escalate to hurting humans.

Animal Possession Ban

June 2020: Animal control seized 124 animals (86 guinea pigs, 7 chinchillas, 7 rabbits, 4 parakeets, 2 hamsters, 2 chickens, 2 degus, a type of small rodent, 1 cockatiel and 1 cat).

- Over 120 dead animals located in a freezer (included 93 guinea pigs, 13 chinchillas, seven ferrets, five rabbits, two bearded dragons and two fancy rats).
- Laurie Jordan was adamant that ***she took very good care of her animals*** and that they were the reason she woke up in the morning.
- Officers walked through her trailer and observed multiple cages stacked from the floor to the ceiling with various animals inside. The report says the cage flooring was covered in ***600 pounds of feces*** and ***cockroaches***, and most cages had thick dust and cobwebs.
- While animal control seized the animals, the owner told officers she ***didn't understand why anyone would think she was cruel to her animals because she didn't hit them***.
- Later, Denton Police arrested the owner on a warrant issued for cruelty to a non-livestock animal, and her partner later turned himself in. Neither had previous convictions. They were ultimately charged on a Class A misdemeanor under Tex. Penal Code 42.001 et seq. as they intentionally, knowingly or recklessly failed unreasonably to provide necessary food, water, care or shelter for an animal in their custody.

Was this her first time caught hoarding?

Of course not.

February 2016: 71 animals were civilly seized from a two-bedroom Denton apartment.

- During the seizure, "Their feet were covered in urine and feces," said Humane Society spokeswoman Whitney Hanson. "They had just been living in waste."
- No one arrested.
- "The caregiver had become overwhelmed; had great intentions, but suddenly found herself with far too many animals."
- There were 46 guinea pigs, seven rats and six ferrets, along with turtles, gerbils, rabbits, a mouse, a bird, and a lizard. They had food and water, but the conditions otherwise were deplorable.

"The above incident took place on Feb. 3, 2016, where she had her animals confiscated from her. Just 5 months later, by July 3, 2016, she had posted on a Guinea Pig Facebook page that she now had 18 guinea pigs and 5 rabbits. However, it looks like she started to grow the herd again.) Then on Jan. 2, 2017, she posted on a guinea pig Facebook page that she had 65 animals (screenshot attached called "Quantity of animals 1-2-17"). I believe that she has over 70 animals today in her small trailer home...It is tough to report her because she has a huge heart for the animals and truly loves them. She truly believes she is rescuing all animals, even when she buys them from the pet store. She has even been put on lists in stores that prohibit her from buying pets from their stores. I suspect they might know she is an animal hoarder. I believe she has a serious mental illness. I think she just doesn't know her limits and doesn't know when to stop, where she likes the thrill of getting a new pet."

Sales Taxes on Adoption Fees

- Senate Bill 197 Going forward, home-based rescue groups will be exempted from paying sales tax on pet adoption fees. Shelters and rescues that operate out of physical facilities (as opposed to home-based foster care) have been exempted for years.
- Now both types of animal welfare organizations are exempt from sales taxes - those housed in brick-and-mortar facilities and those using home based foster care are exempt from sales tax on pet adoption fees.
- The law went into effect on October 1, 2021.

HB 652: Rep. Paul (District 129)

Written Notice to Adopters bill

HB 3092 would require animal shelters to provide a written notice to pet adopters of any epizootic infectious diseases that occur among the animals in the shelter.

This bill is problematic in several ways:

1. It will encourage pet adoptions by fueling fears of zoonotic diseases and perpetuating the stereotype that shelter animals are “sicklier” than animals.
2. The bill is too subjective; it does not determine who would lay out “normal” epizootic disease levels in a given area. If there are significant outbreaks of zoonotic disease, the implications and vectors most likely extend beyond the shelter environment and need to be discussed on a larger level.
3. These factors combined would fuel fears about adopting pets, which will negatively impact adoptions. This bill would increase the length of stay of animals, resulting in higher care costs; a higher rate of euthanasia, which leads to community backlash and increased associated costs; and a decrease in adoption revenue.

House Vote in 2021: 95 Yeas, 47 Nays (2nd reading was 45 yeas – Motion for Rec'd) ***but was brought back through a Motion for Consideration & ultimately died.***

SB 552 – Identification of Dogs

- According to the AVMA, roughly 4.7 million people are bitten by dogs each year in the United States, with 800,000 requiring medical attention.
- Children account for approximately half of all dog bite victims and research has shown that children have the highest risk of dog bites, and their severity of injuries are greater. Incidents of dog bites in Texas are frequently reported in the news however, there is a lack of Texas statewide data that can indicate if dog bites, and the severity of dog bites are increasing.
- In an effort to gain greater understanding and information on dog bites occurring in Texas, SB 552 requires each animal control authority to annually report to the Department of State Health Services dog bites that result in bodily injury, serious bodily injury, or death. The report must include the date and county in which the dog bite occurred, the age of the victim, breed of dog, the extent of injuries, and hospitalization required to treat the victim.
- The report also must state whether the dog was a dangerous dog and has previously bitten other individuals, and if the dog owners were charged with a criminal offense as a result of the dog bite.
- As proposed, SB 552 amends the Health and Safety Code to require each animal control authority to submit to DSHS an annual report regarding dog bites that occurred in the preceding year.

HB 1083: Stray Hold Bill (Rep. King)

Sec. 823.010. TERMINATION OF OWNERSHIP INTEREST IN IMPOUNDED ANIMAL.

(a) In this section, "animal rescue organization" means a nonprofit charitable organization established primarily to rescue animals and find adoptive homes for the animals.

(b) Subject to Subsection (c), a person's ownership interest in an impounded animal held in an animal shelter operated in this state terminates on the date that:

- (1) another person adopts the animal from the shelter; or
- (2) the shelter transfers the animal to an animal rescue organization.

(c) An animal shelter may offer an animal for adoption or transfer the animal as provided by Subsection (b)(2) only after the shelter has complied with any applicable holding period set in an ordinance or rule adopted by the governing body of the municipality or county in which the shelter is located as authorized by Section 826.033.

HB 1818 – Retail Pet Store Ban

THANK YOU

HB 1818 AUTHORS



**PRIMARY AUTHOR:
JARED PATTERSON**

JOINT AUTHORS



REYNOLDS



SHAHEEN



HOLLAND



JETTON

- Commercial pet stores have sold puppies and kittens in Texas with undisclosed health defects that can lead to increased veterinary costs and, in certain cases, even death of the animal.
- HB 1818 seeks to limit the sources from which forprofit pet stores in more populous counties may legally obtain dogs or cats and requiring store owners to disclose the source of each dog or cat up for sale.
- HB 1818 (Rep. Patterson) would restrict the retail sale of puppies and kittens in counties over 200K to animals sourced from shelters & rescues.
- The bill affects less than 30 stores in 24 counties in Texas.
- Three states have passed similar laws (Illinois, California and Maryland).
- There was no Senate companion and it died in the Senate

HB 543 – Rep. White (District 19)

If passed, the Working Animal Protection Act would deter an outright ban by a municipality on any legal working animal industry.

These constitutional "Rights to Free Enterprise" should be legislated and approved by state voters.

Businesses such as horse-drawn carriages, pony rides, elephant rides, educational zoos, and exotic animal exhibits at fairs and circuses.

All legal businesses, heavily licensed, regulated, and inspected.

Sec. 251.007. REGULATION OF WORKING ANIMALS.

(a) In this section, "working animal" means an animal used for the purpose of performing a specific duty or function, including entertainment, transportation, or education.

(b) Notwithstanding any other law, a political subdivision may not impose a governmental requirement that terminates, bans, or effectively bans by imposing an undue financial hardship, the job or use of a working animal or an enterprise that employs a working animal.

(c) A governmental requirement adopted by a political subdivision that violates Subsection (b) is void.



HB 580 – Rep. Lopez – “Rudy’s Law”

An example of many bills that are filed but do not get out of their committee and a bill that is filed because of a problem that came from a constituent.

- HB 580 or Rudy's Law, seeks to require a notice to consumers if they are buying plants that are highly toxic to dogs.
- HB 580 would require that a nursery dealer or nursery agent must include a written statement upon the sale of specific species of plant containing Cycasin, warning the end user that the ingestion of the plant by canines can be harmful or fatal. The bill limits the notification to the most popular of toxic plants to Texas - Sago Palm, Poinsettia, Azalea, Chrysanthemum, and Lilies

Dogs in Hot Cars: HB 762 – Rep. Israel

- Relating to civil liability for removing certain individuals or animals from a motor vehicle.
- Died in the Calendars Committee

H.B. 762 amends the Civil Practice and Remedies Code to extend the immunity from civil liability applicable to a person who, by force or otherwise, enters a motor vehicle for the purpose of removing a vulnerable individual to apply to a person who does so for purposes of removing a dog, cat, or other domesticated animal that may be kept as a household pet, excluding a livestock animal, if the person's actions and state of mind meet the requisite conditions and the person places a note on the motor vehicle's windshield with information specified by the bill. The bill expressly does not grant immunity from civil liability to a person who, on notifying law enforcement or calling 911, was advised by law enforcement personnel not to enter the motor vehicle.



THLN WINDOW REFLECTOR

HB 279 – Pet Rent and Deposits

ASPCA Statement: Keeping Pets & Owners together

Simply put, keeping pets and people together is often the best outcome for the pets, the people, and the community. Accomplishing this goal requires that we shift our thinking, especially when it comes to preconceived notions about a person's financial circumstances and his/her desire and ability to take good care of a pet.

Sec. 92.027. PET DEPOSITS OR FEES.

If a lease allows a tenant to have a pet on the premises, the landlord may collect from the tenant a one-time refundable or nonrefundable pet deposit at the initiation of the lease or a monthly fee for the pet, but not both.

2023

**But the Program
needs
common-sense
reform!**



**Loopholes in
the law allow
commercial
breeders to
masquerade
as hobby
breeders!**

Texas Licensed Breeder Program #1 Priority

- House Author waiting for right moment to announce...
- Expect A LOT of opposition: AKC, RPOA, Calvary Group...
- Change 11 to 5; remove sales requirement
- Not new law; reform current law
- “Hobby” breeders are not “Commercial” breeders
- GOAL: Bring more breeders into the program will
- Status of HB 274 by Rep Goodwin
- Status of HB 674 by Rep Gervin Hawkins

Update on THLN Legislation (Cont.)

Humane Retail Pet Store Bill – HB 870 by Patterson

- Requires pet stores to source from shelters & rescues
- Only applies to counties with population over 200,000
- 14 cities in Texas have passed Humane Pet Store Ordinances.
- Pre-emption bill?
- Coalition has support from national and local groups.



Service Dog Legislation

Why is the law needed? According to a 2019 survey, over 25% of service dog handlers encountered a fake service dog, resulting in injuries to people and real service dogs. People reliant on real service dogs avoid public spaces or are denied access.



Service Dog Legislation (Cont.)

What would this law do? If convicted of having a fake service dog, person faces:

- (1) fine of not more than \$1,000; and
- (2) 30 hours of community service to governmental entity or nonprofit serving persons with disabilities.



Two Bills re Injury & Death of Pets

Cruelty to Non-Livestock Bill – HB 1203 by Ordaz-Perez

- Amends Section 42.092(b) of Penal Code by adding “or with criminal negligence” to statute
- Risk vs. reward when opening up cruelty statute

Groomer Bill – HB 978 by Ordaz-Perez

- Creates an offense and a civil penalty for a groomer to negligently commit animal cruelty.



Interest in Spay/Neuter Bills

Fund S/N through Adoption Fees – HB 309 by Goodwin

- Releasing agencies collect \$75 adoption fee
- Fee refunded if new owner proves pet sterilized
- Non-refunded fees remitted to Animal Friendly S/N License Plate fund

S/N on 2nd or 3rd Impoundment – not filed yet

- Every large city in Texas has some version of S/N requirement for cats and dogs
- S/N after repeat impoundment is NOT mandatory S/N
- Most common inquiry THLN receives; Rural and Urban legislators interested in mechanism to address pet overpopulation



Other Bills of Interest

HB 66 by Talarico: requires fire protection and sprinklers at boarding kennels and some shelters.

HB 674 by Gervin Hawkins: requires breeders to furnish bill of state with statement breeder regulated by TDLR.

HB1166 by Rosenthal: prohibits landlords from charging monthly pet rent and pet deposit; must choose one.

HB1179 by Ramos: requires prosecuting attorneys to advise victims they can include pets in protective orders.

AG Opinion on TNR as Abandonment

- Brazoria County Attorney requested opinion from Ken Paxton “is TNR cruelty?”
- Coalition letter from State Level Organizations – submitted December 9, 2022.



Big Cat Public Safety Act

- PASSED IN 2021
- Prohibits private possession and breeding of big cats such as tigers, lions and leopards by unqualified individuals and exhibitors.
- Strengthens the existing federal law, the Captive Wildlife Safety Act, by closing loopholes that allow private possession of big cats.
- Introduced on 2.26.2019 by: Rep. Mike Quigley, D-IL and Rep. Brian Fitzpatrick, R-PA, Cosponsors: 230
- S. 2561 Introduced on 9.26.2019 by: Sen. Richard Blumenthal, D-CT, Cosponsors: 26



Puppy Protection Act of 2021

- Breeding dogs and their puppies suffer from inhumane treatment, confinement, and neglect in puppy mills across the country. Commercial breeders often force dogs to live in small, stacked wire cages their entire lives, and deny dogs adequate veterinary care, proper nutrition, and socialization.
- The *Puppy Protection Act* ([H.R. 2840](#)/[S. 1385](#)) aims to improve conditions for dogs and puppies by prohibiting overbreeding and dangerous living conditions requiring larger enclosures and access to the outdoors, a consistent feeding schedule, prompt treatment of illnesses and injuries, and daily socialization. This legislation also protects retired breeding dogs by requiring breeders to make every effort to find humane placement for them.
- The *Puppy Protection Act* is an important tool in combating cruel conditions at large-scale dog breeding facilities. Additionally, it will help protect consumers and animal guardians. Too often, families discover that the puppy they purchased is severely ill with little or no hope of recovery. Diseases, such as parvovirus and Campylobacter, are common among puppy mill dogs, and result in families incurring significant emergency veterinary bills to try, sometimes in vain, to help their recently purchased puppies.
- The *Puppy Protection Act* is a bipartisan bill that was introduced in 2021 by U.S. Senator Dick Durbin (D-IL) and Representatives Brian Fitzpatrick (R-PA), Charlie Crist (D-FL), Guy Reschenthaler (R-PA) and Jim McGovern (D-MA). The Animal Legal Defense Fund strongly supports the *Puppy Protection Act*.

Humane Lobby Day



Register now at: www.thln.org/thln_humane_lobby_day_registration

No prior lobbying experience is required—just your passion for helping animals!

Schedule at a Glance:

8:30 AM - 9:00 AM Check-in at the Capitol

9:30 AM - 11:00 AM Presentation on Legislative Priorities

11:30 AM - 12:00 PM Gather on the Capitol Steps for Group Photo w/Therapy Dogs

12:00 PM - 5:00 PM Lunch followed by meetings with Legislators