

BILL ANALYSIS

C.S.H.B. 1097
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Business & Industry
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Concerns have been raised that due to the cost of purchasing a pet from a retailer or breeder, certain financing practices that may be damaging to the circumstances of lower-income or less informed buyers and to the pets themselves may be becoming more prevalent. C.S.H.B. 1097 seeks to address these concerns by prohibiting the use of these types of financing in the sale of a pet.

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

C.S.H.B. 1097 amends the Business & Commerce Code to prohibit a contract or financing for the transfer of a pet from making ownership of the pet contingent upon the buyer making payments after the transfer of possession of the pet to the buyer, from providing for the lease of a pet with the option to purchase the pet at the end of the lease term, or from authorizing the use of the pet as collateral that may be repossessed by the seller. The bill voids a contract entered into in violation of the bill's provisions. The bill expressly does not prohibit the purchase of a pet using an unsecured personal loan. The bill defines "pet" as a domesticated animal, excluding livestock, that is owned by an individual and kept in or near the household of the individual for the primary purpose of companionship.

EFFECTIVE DATE

September 1, 2019.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 1097 may differ from the original in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The substitute does not include a definition of "livestock animal" specifically for purposes of the bill's provisions but does include a definition of "livestock" by reference to the Agriculture Code.