

SUBJECT: Expanding conditions of probation for certain offenses involving animals

COMMITTEE: Corrections — favorable, without amendment

VOTE: 5 ayes — Murr, Allen, Martinez Fischer, Rodriguez, Sherman

1 nay — Slaton

3 absent — Bailes, Burrows, White

SENATE VOTE: On final passage, April 9 — 29-2 (Perry, Springer), on Local and Uncontested Calendar

WITNESSES: For — (*Registered, but did not testify*: John Hubbard and Ian Randolph, Animal Legal Defense Fund; Stacy Sutton Kerby, Director Govt Relations; Daniel Collins, El Paso County; Karen Collins, Joyce Brown, and Georgia Keysor, Indivisible Rosedale Huddle; Jackie Hardee, Indivisible Rosedale Huddle and Indivisible Tx Lege; Lauren Loney, The Humane Society of the United States; Ashley Harris, United Ways of Texas; and 12 individuals)

Against — None

On — (*Registered, but did not testify*: Scott Ehlers, Office of Court Administration)

BACKGROUND: Under Code of Criminal Procedure art. 42A.511(c), judges who grant community supervision to defendants convicted of bestiality may:

- require the defendant to relinquish custody of animals;
- prohibit the defendant from possessing or exercising control over animals or residing in a household with animals; or
- require the defendant to participate in a psychological counseling or other appropriate treatment program.

Some have suggested that this authority should be expanded to include

additional offenses involving animals.

DIGEST:

SB 48 would expand the animal cruelty offenses for which judges granting community supervision could require individuals placed on probation to relinquish custody of any animals, prohibit the individual from possessing or exercising control over animals or residing in a household with animals, or require the individual to participate in psychological counseling.

Under the bill, a judge could take such action for defendants convicted of the offense of attack on an assistance animal, cruelty to nonlivestock animals, dog fighting, or cockfighting.

The bill would take effect September 1, 2021.