

BILL ANALYSIS

Senate Research Center

H.B. 719
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Criminal Justice
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Engrossed

DIGEST

Currently, there is no law that allows the police to arrest someone specifically for causing injury to or the death of a police service animal. This bill would create an offense if a person acts without authorization to affect or otherwise harm a police service animal.

PURPOSE

As proposed, H.B. 719 provides that a person commits an offense if a person acts without authorization to affect or otherwise harm a police service animal.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 38, Penal Code, by adding Section 38.151, as follows:

Sec. 38.151. INTERFERENCE WITH POLICE SERVICE ANIMALS. Defines "area of control," "handler or rider," and "police service animal." Provides that it is a Class C misdemeanor if a person taunts, torments, or strikes a police service animal. Provides that it is a Class B misdemeanor if a person throws an object or substance at a police service animal. Provides that it is a Class A misdemeanor if a person interferes with or obstructs a police service animal or the handler or rider in a manner which inhibits or restricts the handler's or rider's control of the animal or deprives the handler or rider of control of the animal; releases a police service animal from its area of control; or enters the area of control of a police service animal without the effective consent of the handler or rider. Provides that it is a state jail felony if a person injures or engages in conduct likely to injure a police service animal. Provides that it is a third degree felony if a person kills or engages in conduct likely to kill a police service animal.

SECTION 2. Amends Chapter 826E, Health and Safety Code, by adding Section 826.048, as follows:

Sec. 826.048. EXEMPTION FROM QUARANTINE REQUIREMENT FOR POLICE SERVICE ANIMALS. Defines "handler or rider" and "police service animal." Provides that a police service animal is exempt from the quarantine requirement of this subchapter if the animal bites a person while the animal is under routine veterinary care or while the animal is being used for law enforcement, corrections, prison or jail security, or investigative purposes. Requires the law enforcement agency and the animal's handler or rider to make the animal available within a reasonable time for testing by the local health authority, if after biting a person the animal exhibits any abnormal behavior.

SECTION 3. Effective date: September 1, 1999.

SECTION 4. Emergency clause.