

BILL ANALYSIS

Senate Research Center
79R2471 UM-F

S.B. 172
By: Harris
Criminal Justice
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As Filed

AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

In the current animal cruelty statutes, there is vague and inconsistent wording that has made it difficult to prosecute and/or convict people who abuse animals. As proposed, S.B. 172 seeks to clarify the animal cruelty statutes and ensure that those who commit acts of animal cruelty are punished. Research has shown a correlation between violence against animals and subsequent violence. This bill is not meant to punish those who are engaged in legitimate acts such as scientific research, hunting, fishing, trapping, wildlife control, animal husbandry, farming, or pest control.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 42.09(a), Penal Code, to set forth specific circumstances when an individual commits an offense by intentionally, knowingly, or recklessly killing, torturing, or mistreating an animal. Deletes text which excepted certain types of animals from the provisions of this section. Makes nonsubstantive changes.

SECTION 2. Amends Sections 42.09(c) (2) and (5) to redefine "animal" and "necessary food, water, care, or shelter."

SECTION 3. Amends Section 42.09(h), Penal Code, to set forth certain activities which can serve as defense to prosecution under this section, rather than an exception to the application of this section. Provides that activity to control household vermin or rodents is included among these activities. Makes nonsubstantive changes.

SECTION 4. Makes application of this act prospective.

SECTION 5. Effective date: September 1, 2005.