

BILL ANALYSIS

Senate Research Center
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S.B. 48
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Criminal Justice
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Judges who grant community supervision to persons convicted for most crimes related to animal abuse cannot prohibit an offender from possessing an animal as a condition of their release. What's more, mandatory psychological counseling cannot be a term of community supervision for persons found guilty of these offenses. This is especially problematic because committing crimes against animals often is an indicator that a person could perpetrate acts of violence against humans in the future.

S.B. 48 would give judges the discretion to prevent persons from possessing an animal if they are sentenced to community supervision for attacking an assistance animal, cruelty to non-livestock animals, dog fighting, or cockfighting. It also would permit judges to require psychological counseling as a condition of such sentences. This not only would prevent persons from harming more animals, but also could ensure they are provided treatment before their violent tendencies escalate causing them to injure or kill humans.

As proposed, S.B. 48 amends current law relating to conditions of community supervision for defendants convicted of certain criminal offenses involving animals.

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 Article 42A.511(c), Code of Criminal Procedure, to include Sections 42.091 (Attack on Assistance Animal), 42.092 (Cruelty to Nonlivestock Animals), 42.10 (Dog Fighting), or 42.105 (Cockfighting) among the Penal Code offenses for which a judge is authorized to impose certain restrictions on the defendant relating to animals and requirements relating to counseling or treatment, if a judge grants community supervision to a defendant convicted of such an offense.

SECTION 2. Effective date: September 1, 2021.