

BILL ANALYSIS

Senate Research Center
77R610 KEL-D

H.B. 280
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Criminal Justice
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Engrossed

DIGEST AND PURPOSE

Under current law, cruelty to animals is a Class A misdemeanor offense. However, there is no state law regarding improper, cruel, and injurious behavior aimed specifically at police service animals. H.B. 280 provides that a person commits an offense if the person acts to abuse or harm a police service animal.

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 Chapter 38, Penal Code, by adding Section 38.151, as follows:

Sec. 38.151. INTERFERENCE WITH POLICE SERVICE ANIMALS. (a) Defines “area of control,” “handler or rider,” and “police service animal.”

- (b) Provides that a person commits an offense if the person recklessly performs certain acts.
- (c) Sets forth grades of misdemeanor and felony offenses under this section.

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. (a) Provides that in this section, “handler or rider” and “police service animal” have the meanings assigned by Section 38.151, Penal Code.

- (b) 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, if after biting the person the animal exhibits any abnormal behavior, to make the animal available within a reasonable time for testing by the local health authority.

SECTION 3. Effective date: September 1, 2001.