

BILL ANALYSIS

S.B. 48
By: Zaffirini
Corrections
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Thorough research has shown that animal abusers have a high risk of reoffending. Animal cruelty is also a recognized indicator of potential future violence against people. Prohibiting the possession of an animal during community supervision by a person convicted of animal cruelty is believed to be one of the most effective ways to ensure that the person will not reoffend.

Under current law, Texas judges may prohibit a defendant convicted of bestiality and granted community supervision from possessing or exercising control over an animal and require psychological counseling. S.B. 48 seeks to expressly provide judges with the same permissive tools with respect to defendants convicted of other statutory forms of animal cruelty, including an attack on assistance animal, cruelty to non-livestock animals, dog fighting, and cock fighting.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

S.B. 48 amends the Code of Criminal Procedure to authorize a judge who grants community supervision to a defendant convicted of an attack on an assistance animal, cruelty to nonlivestock animals, dog fighting, or cockfighting to do the following:

- require the defendant to relinquish custody of any animals in the defendant's possession;
- prohibit the defendant from possessing or exercising control over any animals or residing in a household where animals are present; or
- require the defendant to participate in a psychological counseling or other appropriate treatment program for a period to be determined by the court.

EFFECTIVE DATE

September 1, 2021.