

1-1 By: Flores, et al. S.B. No. 876  
1-2 (In the Senate - Filed February 13, 2023; March 1, 2023,  
1-3 read first time and referred to Committee on Criminal Justice;  
1-4 April 17, 2023, reported adversely, with favorable Committee  
1-5 Substitute by the following vote: Yeas 6, Nays 0, one present not  
1-6 voting; April 17, 2023, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11				X
1-12	X			
1-13	X			
1-14	X			
1-15	X			

1-16 COMMITTEE SUBSTITUTE FOR S.B. No. 876 By: Miles

1-17 A BILL TO BE ENTITLED  
1-18 AN ACT

1-19 relating to the licensing and regulation of dog and cat breeders;  
1-20 expanding the applicability of an occupational license.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. Section 802.002(8), Occupations Code, is amended  
1-23 to read as follows:

1-24 (8) "Dog or cat breeder" means a person who possesses  
1-25 five [~~11~~] or more adult intact female animals and is engaged in the  
1-26 business of breeding those animals for direct or indirect sale or  
1-27 for exchange in return for consideration [~~and who sells or~~  
1-28 ~~exchanges, or offers to sell or exchange, not fewer than 20 animals~~  
1-29 ~~in a calendar year~~].

1-30 SECTION 2. Sections 802.005(a) and (b), Occupations Code,  
1-31 are amended to read as follows:

1-32 (a) This section applies only to a dog bred with the intent  
1-33 that it be used primarily for:

1-34 (1) herding livestock, as defined by Section 1.003,  
1-35 Agriculture Code, or other agricultural uses;

1-36 (2) hunting, including tracking, chasing, pointing,  
1-37 flushing, or retrieving game; or

1-38 (3) competing in field trials, hunting tests, breed or  
1-39 conformation shows, or similar organized performance events.

1-40 (b) This chapter does not apply to a person to the extent the  
1-41 person breeds dogs described by Subsection (a) for personal,  
1-42 noncommercial use. A person described by this subsection may  
1-43 conduct direct or indirect sales or exchanges in return for  
1-44 consideration of dogs described by Subsection (a).

1-45 SECTION 3. As soon as practicable after the effective date  
1-46 of this Act, the Texas Department of Licensing and Regulation shall  
1-47 prescribe the forms and procedures necessary to implement the  
1-48 changes in law made by this Act.

1-49 SECTION 4. Notwithstanding Section 802.002(8), Occupations  
1-50 Code, as amended by this Act, a dog or cat breeder who possesses  
1-51 five or more but fewer than 11 adult intact female animals and is  
1-52 engaged in the business of breeding those animals for direct or  
1-53 indirect sale or for exchange in return for consideration is not  
1-54 required to hold a license under Chapter 802, Occupations Code, to  
1-55 act as a dog or cat breeder before January 1, 2024.

1-56 SECTION 5. This Act takes effect September 1, 2023.

1-57 \* \* \* \* \*