

HEALTH AND SAFETY CODE

TITLE 10. HEALTH AND SAFETY OF ANIMALS

CHAPTER 824. KENNELS

Sec. 824.001. DEFINITIONS. In this chapter:

(1) "Fire protection sprinkler system" has the meaning assigned by Section 766.051.

(2) "Kennel" means a facility, including a veterinary medicine clinic, that provides boarding and related services to dogs or cats for breeding, sheltering, training, hunting, or similar purposes in exchange for compensation or other consideration.

Added by Acts 2023, 88th Leg., R.S., Ch. 294 (H.B. 2063), Sec. 1, eff. September 1, 2023.

Sec. 824.002. EXCEPTIONS TO APPLICABILITY OF CHAPTER. This chapter does not apply to:

(1) an animal shelter as defined by Chapter 823; or

(2) a kennel that boards not more than three dogs or cats at any time.

Added by Acts 2023, 88th Leg., R.S., Ch. 294 (H.B. 2063), Sec. 1, eff. September 1, 2023.

Sec. 824.003. REQUIRED INFORMED CONSENT FOR BOARDING OR PROVIDING SERVICES TO DOG OR CAT TO BE LEFT UNATTENDED. A kennel owner or operator who is boarding or providing services to a dog or cat at the kennel may not leave the dog or cat unattended without an employee present unless:

(1) the kennel owner or operator provides to the owner of the dog or cat written notice that:

(A) the dog or cat will be left unattended at the kennel without an employee present during the hours specified in the notice; and

(B) if the kennel is not equipped with a functioning fire protection sprinkler system, the facility does not have a fire protection sprinkler system; and

(2) the owner of the dog or cat provides to the kennel

owner or operator a signed document consenting to the dog or cat being left unattended as provided in the notice.

Added by Acts 2023, 88th Leg., R.S., Ch. 294 (H.B. 2063), Sec. 1, eff. September 1, 2023.

Sec. 824.004. CIVIL PENALTY. (a) A kennel owner or operator who violates Section 824.003 is liable for a civil penalty in an amount equal to \$500 for each animal subject to the violation and for each day the violation continues.

(b) The attorney general or the appropriate district or county attorney may:

(1) bring an action on behalf of this state to collect the civil penalty under this section; and

(2) recover attorney's fees and costs incurred in bringing the action.

Added by Acts 2023, 88th Leg., R.S., Ch. 294 (H.B. 2063), Sec. 1, eff. September 1, 2023.