

## State of Texas Animal Laws

Statute Name	Citation	Summary
TX - Agriculture - Threats to Public Safety or Damage by Wildlife	<a href="#">TX PARKS &amp; WILD § 43.151</a>	This statute allows an individual to apply to a local municipality to receive a permit to destroy wildlife that is posing a serious risk to agricultural interests or public safety. This provision relates to a section that disallows the killing of eagles save for this exception. For discussion of federal Eagle Act, see <a href="#">Detailed Discussion</a> .
TX - Counseling - Cruelty to Animals: Counseling Required	<a href="#">TX FAMILY § 54.0407</a>	For juveniles convicted under the Texas criminal cruelty statute (found at Tex. Penal Code § 42.09), psychological counseling is required.
TX - Cruelty - Consolidated Cruelty to Animals Statutes	<a href="#">TX PENAL § 42.09</a> ; <a href="#">§ 42.091</a> ; <a href="#">§ 42.092</a> ; <a href="#">§ 42.10</a>	These comprise Texas' anti-cruelty laws. Texas has laws that prohibit cruelty to both livestock (§ 42.09) and non-livestock animals (§ 42.092). Both laws requires a scienter of intentionally or knowingly, and enumerate limited defenses. "Animal" means a domesticated living creature and wild living creature previously captured but does not include an uncaptured wild creature. Also included is Texas animal fighting provision, which criminalizes being a spectator at an animal fighting exhibition among other things.
TX - Cruelty - Treatment & Disposition of Animals	<a href="#">TX HEALTH &amp; S § 821.001 - 025</a> ; <a href="#">§ 821.051 - 057</a> ; <a href="#">§ 821.076 - 081</a>	This Texas section addresses the treatment of animals and disposition of cruelly treated animals.
TX - Dangerous - Dogs or Coyotes That Attack Animals	<a href="#">TX HEALTH &amp; S § 822.013</a>	This Texas statute provides that a dog or coyote that is attacking, is about to attack, or has recently attacked livestock, domestic animals, or fowls may be killed by any person witnessing the attack or the attacked animal's owner or a person acting on behalf of the owner if the owner or person has knowledge of the attack. A person who kills a dog or coyote as provided by this section is not liable for damages to the owner, keeper, or person in control of the dog or coyote.
TX - Dangerous - Reporting of Incident in Certain Counties and Municipalities	<a href="#">TX HEALTH &amp; S § 822.0422</a>	This Texas statute outlines the procedures for reporting a dangerous dog incident in counties with a population of at least 2,800,000 in which an ordinance has been adopted pursuant to this section. It describes the reporting and seizure requirements should an owner fail to turn over an implicated dog.
TX - Dangerous - Subchapter B: Dogs That Are A Danger to Animals	<a href="#">TX HEALTH &amp; S § 822.011 - 020</a>	Subchapter B prohibits dogs from running at large and enumerates the criminal penalty for such violation.
TX - Dangerous - Subchapter C: Regulation of Dogs	<a href="#">TX HEALTH &amp; S § 822.021 - 040</a>	Chapter 822, Sections .031 through .035 address the regulation of dogs. Specifically, these provisions cover the registration requirements, prohibit unregistered dogs from running at large, and enumerate the treatment of dogs that attack other domestic animals.
TX - Dangerous - Subchapter D: Dangerous Dogs	<a href="#">TX HEALTH &amp; S § 822.041 - 047</a>	Chapter 822, Subchapter D addresses dangerous dogs and their treatment, including dog attacks, registration, defenses, violations of the statute.
TX - Dangerous -	<a href="#">TX HFAI TH &amp; S S</a>	Chapter 822. Subchapter F regulates the keeping of dangerous

Subchapter E: Dangerous Wild Animals	<a href="#">822.101 - 116</a>	wild animals. It imposes a registration requirement upon the owner of a dangerous wild animal and also sets forth insurance requirements. One thing to note is that Texas animal cruelty laws do not apply to these wild animals.
TX - Dog - Assistance Animal/Guide Dog Laws	<a href="#">TX GOVT § 661.910</a> ; <a href="#">TX HUM RES § 121.002 - 007</a> ; <a href="#">TX PENAL § 42.091</a> ; <a href="#">TX TRANSP § 552.008</a>	The following statutes comprise the state's relevant assistance animal and guide dog laws.
TX - Dog - Consolidated Dog Laws	<a href="#">TX HEALTH &amp; S §§ 822.001 - 100</a> ; <a href="#">§ 823.001 - 007</a> ; <a href="#">§ 826.001 - 055</a> ; <a href="#">§ 828.001 - 015</a> ; <a href="#">TX PARKS &amp; WILD § 62.0065</a>	These Texas statutes comprise the state's dog laws. Among the provisions include the dangerous dog laws, registration and vaccination requirements, and sterilization laws.
TX - Dog Bite - Texas Dangerous Dogs - Subchapter A: Dogs That Are A Danger To Persons	<a href="#">TX HEALTH &amp; S § 822.001 - 007</a>	Subchapter A addresses the treatment, seizure, and disposition of dogs that are a danger to people. This subchapter applies to any dog that causes a person's death or serious bodily injury, regardless of provocation or the location in which the incident occurred.
TX - Endangered Species	<a href="#">TX PARKS &amp; WILD § 68.001 - 021</a>	Texas defines endangered species as those listed on the federal ESA List as well as those designated in the state. No person may capture, trap, take, or kill, or attempt to capture, trap, take, or kill, endangered fish or wildlife nor may he or she possess, sell, distribute, or offer or advertise for sale those species (unless allowed as described in the subchapter). Notably, this chapter excepts from its provisions coyotes, cougars, bobcats, prairie dogs, and red foxes (with no mention as to what occurs in the event they become endangered). Violation of the provisions results in a Class C Parks and Wildlife Code misdemeanor for the first offense, a Class B misdemeanor for the second offense, and a Class A misdemeanor for subsequent offenses.
TX - Endangered Species	<a href="#">TX PARKS &amp; WILD §§ 68.001 - 021</a>	The act prohibits any person from taking, possessing, propagating, transporting, exporting, selling, offering to sell, or ship any species of fish, or wildlife listed by the department as endangered or threatened.
TX - Equine Activity Liability Act	<a href="#">TX CIV PRAC &amp; REM § 87.001 - 005</a>	This Texas section provides that any person, including an equine activity sponsor, equine professional, livestock show participant, or livestock show sponsor, is not liable for property damage or damages arising from the personal injury or death of a participant in an equine activity or livestock show if the property damage, injury, or death results from the dangers or conditions that are an inherent risk of an equine activity or the showing of an animal on a competitive basis in a livestock show. The statute also requires the visible displaying of "clearly readable" warning signs that alert participants to the limitation of liability by law.
TX - Fighting - Dog Fighting	<a href="#">TX PENAL § 42.10</a>	Texas criminal statute that prohibits dog fighting. Actions ranging from causing a dog to fight with another to attending a dog fight as a spectator are prohibited. To constitute an offense, one must demonstrate the requisite intent of intentionally or knowingly.

TX - Hunting - Controlled Killing of or Attempting to Injure Dangerous Wild Animal Prohibited	<a href="#">TX PARKS &amp; WILD § 62.102</a>	This Texas statute provides that no person may kill or attempt to injure a dangerous wild animal that is in captivity in this state or released from captivity in this state for the purpose of being killed.
TX - Hunting - Hunting Mexican Brown or Golden Eagle Prohibited Except by Permit	<a href="#">TX PARKS &amp; WILD § 64.011</a>	This section of the Texas code prohibits the killing of a golden or Mexican brown eagle except by permit (refers to the permit to kill wildlife that is threatening agricultural interests or public safety). For discussion of federal Eagle Act, see <a href="#">Detailed Discussion</a> .
TX - Impound - Animal Shelters	<a href="#">TX HEALTH &amp; S § 823.001 - 007</a>	Chapter 823 enumerates the standards by which animal shelters shall comply. It sets forth confinement requirements, permissible forms of euthanasia, and personnel requirements.
TX - Impound - Restraint, Impoundment, and Disposition of Dogs and Cats	<a href="#">TX HEALTH &amp; S § 826.033</a>	This Texas statute provides that a municipality or county may adopt ordinances or rules to require that each dog or cat be restrained by its owner and that any stray dog or cat be declared a public nuisance. Further, it can declare that each unrestrained dog or cat be detained or impounded by the local rabies control authority. Each stray dog or cat be impounded for a period set by ordinance or rule and a humane disposition be made of each unclaimed stray dog or cat upon its expiration.
TX - Licenses - Registration of Dogs and Cats by Local Governments	<a href="#">TX HEALTH &amp; S § 826.031</a>	This Texas statute provides that the governing body of a municipality and the commissioners court of a county may adopt ordinances or rules requiring the registration of each dog and cat within the jurisdiction of the municipality or county. Fees may be collected pursuant to such ordinances to defray costs.
TX - Licenses - Registration; Criminal Penalty	<a href="#">TX HEALTH &amp; S § 826.032</a>	This Texas statute provides that a person commits an offense (Class C misdemeanor) if he or she fails to or refuses to register or present for registration a dog or cat owned by the person as required by state law or local ordinance.
TX - Ordinances - Houston and Wylie Texas Animal Control Ordinances	<a href="#">Houston - Secs. 6-1 - 65; Wylie - Secs. 18-1 - 128</a>	These ordinances comprise the municipalities of Houston and Wylie, Texas' animal control provisions.
TX - Ordinances - Preemption	<a href="#">TX PENAL § 1.08</a>	This law provides for preemption of state criminal laws over the laws enacted by governmental subdivisions or agencies.
TX - Ordinances - Restraint; Criminal Penalty	<a href="#">TX HEALTH &amp; S § 826.034</a>	This Texas statute provides that a person commits an offense (Class C misdemeanor) if the person fails or refuses to restrain a dog or cat owned by the person and the animal is required to be restrained under the ordinances or rules adopted under this chapter.
TX - Rabies - Area Rabies Quarantine	<a href="#">TX HEALTH &amp; S § 826.045</a>	This Texas statute outlines the parameters under which a rabies quarantine area may be adopted. If this occurs, it may call for the restraint of carnivorous animals and the transportation of carnivorous animals into and out of the quarantine area. While the quarantine is in effect, the rules adopted by the board supersede all other applicable ordinances or rules applying to the quarantine area.
TX - Rabies - Vaccination; Criminal Penalty	<a href="#">TX HEALTH &amp; S § 826.022</a>	This Texas statute provides that a person commits an offense (Class C misdemeanor) if the person fails or refuses to have each dog or cat owned by the person vaccinated against rabies

		and the animal is required to be vaccinated under applicable state law or local ordinance.
TX - Trusts - Creation, Validity, Modification, and Termination of Trusts.	<a href="#">TX PROPERTY § 112.037</a>	This Texas statute comprises the state's pet trust law. A trust may be created to provide for the care of an animal alive during the settlor's lifetime. The trust terminates on the death of the animal or, if the trust is created to provide for the care of more than one animal alive during the settlor's lifetime, on the death of the last surviving animal. The law also provides a distribution schedule for the trust's remaining assets.
TX - Veterinary - Chapter 801. Veterinarians.	<a href="#">TX OCC § 801.001 - 509</a>	These are the state's veterinary practice laws. Among the provisions include licensing requirements, laws concerning the state veterinary board, veterinary records laws, and the laws governing disciplinary actions for impaired or incompetent practitioners.