

HUMANE TETHERING BILL

BACKGROUND

Thousands of dogs throughout Texas remain tethered outside 24/7 as a means of permanent confinement. "Tethering" is the restraint of a dog by means of a chain, rope, leash, cable or other device attached to a stationary object. In 2007, the Texas legislature passed a law in an attempt to establish tethering requirements. The law as written is not enforceable because it requires peace officers and animal control officers to first give warnings 24 hours prior to issuing a citation. In fact, there has not been a single prosecution since the law's passage. In order to prevent a cruelty situation from arising, among other reasons, animal control officers, law enforcement agencies and county prosecutors have requested this bill to fix the current tethering statute.

THE BILL

The Humane Tethering Bill establishes clear and specific requirements for tethering a dog which include:

- The tethering device must allow the dog access to:
 - potable drinking water
 - "adequate shelter" (a clean and sturdy structure that protects the dog from exposure to extreme weather conditions and is large enough to allow the dog to stand, sit, turn around, and lie down in a normal manner)
 - An area that allows the dog to avoid standing water
- The length of the tether must be at least five times the length of the dog as measured from the tip of the dog's nose to the base of the dog's tail or ten feet whichever is greater.
- The tether must be attached to a collar or harness constructed of nylon, leather or similar material properly fitted to the dog, and cannot be a chain.

These requirements are common sense and consistent with those already included in many Texas municipal ordinances. This bill would create statewide minimum standards for the tethering of a dog and provide animal control and law enforcement officers and prosecutors an efficient way to enforce the law. Punishment for an offense under the law will be a Class C misdemeanor for the first offense and a Class B misdemeanor for subsequent offenses.

The tethering requirements in the bill do not apply to a dog when the dog: (i) is in the presence of its owner; (ii) is in a public camping or recreational area; (iii) is engaged in or training for a licensed activity such as hunting or fishing; (iv) is engaged in or present at an activity directly related to the shepherding or herding of livestock or the cultivation of agricultural products; or (v) a dog restrained in an open air vehicle for no longer than necessary for the owner to complete a temporary task.

The Bill is endorsed by many agencies including but not limited to Texas Animal Control Association, Texas Academy of Animal Control Officers, and Texas Veterinary Medical Association.

SUMMARY

It is generally agreed by all that if a dog is tethered, it should be done in the safest and most humane manner possible and the owner must provide adequate food, water and shelter. This bill sets forth straightforward, simple, understandable and enforceable requirements to ensure just that.

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