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## OLR Bill Analysis

### sHB 5844

#### ***AN ACT CONCERNING THE OVERNIGHT TETHERING OF DOGS OUTDOORS AND THE TETHERING OF DOGS OUTDOORS UNDER CERTAIN WEATHER CONDITIONS.***

#### **SUMMARY:**

With some exceptions, this bill prohibits tethering a dog outdoors (1) overnight (between 10 p.m. and six a.m.) and (2) when the temperature is above 90 or below 32 degrees Fahrenheit. It subjects violators to a fine of (1) \$100 for a first offense, (2) \$200 for a second offense, and (3) between \$250 and \$500 for subsequent offenses.

The bill also makes miscellaneous changes to the current tethering prohibition, as described below.

EFFECTIVE DATE: July 1, 2013

#### **NEW TETHERING PROHIBITIONS; EXCEPTIONS**

##### ***Overnight Tethering***

The bill prohibits anyone from tethering a dog outdoors to a stationary object or mobile device, such as a trolley or pulley, at any time between 10 p.m. and six a.m. But it allows tethering a dog outdoors during those hours if (1) someone is outdoors in the dog's presence or (2) the tethering is in an enclosed area (i.e., an area enclosed on all sides by a fence, improvement, or similar structure).

##### ***Extreme Hot or Cold Weather***

The bill prohibits anyone from tethering a dog outdoors to a stationary object or mobile device when the temperature is above 90 or below 32 degrees Fahrenheit. But it allows a person to tether a dog outdoors in those temperatures if the person provides the dog with a shelter or structure that protects it from weather posing an adverse risk to the dog's health or safety, including extreme heat or cold, rain, snow, or ice.

The bill specifies that the prohibition on tethering a dog outdoors in extreme hot or cold weather does not apply to:

1. any exhibition, show, contest, or other temporary event at which the dog's skill, breeding, or stamina is judged or examined;
2. any exhibition, class, training session, or other temporary event where the dog (a) is used lawfully to hunt wildlife during the hunting season for the wildlife species or (b) receives lawful training in hunting such wildlife;
3. temporary tethering at any camping or recreation area as expressly authorized by the energy and environmental protection commissioner; or
4. temporary tethering for up to 15 minutes.

#### **ADDITIONAL CHANGES TO THE TETHERING LAW**

Current law prohibits tethering a dog on a tether that does not have swivels on both ends to prevent twisting and tangling, unless the dog's owner or keeper is in the dog's presence. The bill instead permits such tethering if anyone is in the dog's immediate presence.

Current law prohibits tethering a dog on a tether that allows the dog to reach an object, such as a window sill, pool edge, fence, porch, or terrace railing, that poses a substantial risk of injuring or strangling the dog if it jumps over the object, unless the dog's owner or keeper is on the premises. The bill also prohibits tethering a dog that allows the dog to reach a hazard, including traffic into which the dog could walk. It prohibits tethering a dog near an object or hazard that poses any risk, instead of substantial risk, of injuring or strangling the dog if it jumps over or walks into the object or hazard, unless someone is in the dog's immediate presence.

Lastly, the bill permits tethering a dog on a tether that does not have swivels on both ends or does not allow the dog to walk at least eight feet if the tethering lasts no longer than 15 minutes.

**COMMITTEE ACTION**

Environment Committee

Joint Favorable Substitute

Yea 27 Nay 1 (03/27/2013)