

TO: MEMBERS OF THE ENVIRONMENT COMMITTEE
FROM: BOBBY SHEA for ASPCA and CT VOTES FOR ANIMALS

RE: PLEASE **JFS** HOUSE BILL 5844. THANK YOU ☺

Dear Friends:

We strongly support the passage of House Bill 5844; and we are grateful to the members of the Environment Committee for Raising and considering this legislation.

The primary missions of this bill are: (1) to prevent people from inappropriately tethering dogs outside all night; and (2) to prevent people from tethering dogs outside in horrible weather conditions – unless the dog has access to reasonable shelter during that time.

It is important to note that HB 5844 does not impose any requirements when dogs are outside in fenced-in yards or electric-fenced yards. This bill only addresses situations when dogs are tethered outside.

During last Friday's public hearing, we heard some very good comments from Environment Committee members regarding the requirements for the "shelter."

Accordingly, we are proposing below the **JFS LANGUAGE (GREEN INK)** to address the concerns. The purpose of the **JFS** language is to make the shelter requirements more flexible than in the original bill, and to allow "prebuilt/commercial" dog houses to qualify as appropriate shelters when a dog is tethered outside in extreme weather conditions.

We also added some **JFS** language which appropriately allows a dog to be tethered outside in at night for a 15 minute period of time (for fresh air and bathroom breaks, etc.). The bill already allows a dog to be tethered outside in bad weather for a 15 minute period of time for the same reasons.

THANK YOU ALL FOR YOUR CONSIDERATION OF OUR **JFS** language, below.

JFS HB 5844--AN ACT CONCERNING THE OVERNIGHT TETHERING OF DOGS OUTDOORS AND THE TETHERING OF DOGS OUTDOORS UNDER CERTAIN WEATHER CONDITIONS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. Section 22-350a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(a) No person shall tether a dog to a stationary object or to a mobile device, including, but not limited to, a trolley or pulley by means of: [a: (1) Tether] (1) A tether that does not allow such dog to walk at least eight feet, excluding the length of such dog as measured from the tip of such dog's nose to the base of such dog's tail, in any one direction, (2) a tether that does not have swivels on both ends to prevent twisting and tangling, unless [the owner or keeper of such dog] a person is in the immediate presence of such dog, (3) a coat hanger, choke collar, prong-type collar, head halter or any other collar, halter or device that is not specifically designed or properly fitted for the restraint of such dog, (4) a tether that has weights attached or that contains metal chain links more than one-quarter of an inch thick, or (5) a tether that allows such dog to reach an object or hazard, including, but not limited to, a window sill, edge of a pool, fence, traffic, porch or terrace railing that poses a [substantial] risk of injury or strangulation to such dog if such dog walks into or jumps over such object or hazard, unless [the owner or keeper of such dog is on the premises] a person is in the [immediate] presence of such dog. The provisions of subdivisions (1) and (2) of this subsection shall not be construed to apply to: (A) Any veterinary practice licensed pursuant to section 20-197 that tethers a dog in the course of such veterinary practice, (B) any exhibition, show, contest or other temporary event in which the skill, breeding or stamina of such dog is judged or examined, (C) any exhibition, class, training session or other temporary event in which such dog is used in a lawful manner to hunt a species of wildlife during the hunting season for such species of wildlife or in which such dog receives training in a lawful manner to hunt such species of wildlife, (D) the temporary tethering of a dog at any camping or recreation area as expressly authorized by the Commissioner of Energy and Environmental Protection, [or] (E) the temporary tethering of a dog at a grooming facility in the course of grooming such dog, or (F) the temporary tethering of a dog for a period of time of not more than fifteen minutes in duration.

(b) No person shall tether a dog outdoors to a stationery object or to a mobile device, including, but not limited to, any trolley or a pulley, at any time between the hours of ten o'clock p.m. and six o'clock a.m., unless a person is outdoors in the presence of such dog, or unless the tethering of such dog is for a period of time of not more than fifteen minutes in duration.

(c) No person shall tether a dog outdoors to a stationery object or to a mobile device, including, but not limited to, a trolley or a pulley, when: (1) The outdoor temperature is greater than ninety degrees Fahrenheit or is less than thirty-two degrees Fahrenheit, or (2) the temperature or other environmental conditions, including, but not limited to, rain, snow or ice, pose an adverse risk to the health or safety of such dog, unless: (A) A person is outdoors in the presence of such dog, or (B) such dog has unfettered access to and ability to enter a shelter or structure, such as a house, apartment building, office building, dog house or any other [permanent] structure that: (i) Provides natural

light, (ii) is structurally sound and does not otherwise pose a risk of injury to such dog, (iii) allows such dog to stand up, turn around and lie down with limbs fully outstretched and without such dog's head, tail, legs or paws touching any side of such structure, (iv) has solid flooring that is *sufficiently* raised off the ground *to prevent water from entering the structure*, (v) has a roof and three walls that are waterproof, (vi) has an entryway [*shielded by a waterproof windbreak*] *with an extended tunnel, door or windbreak that prevents most wind and precipitation, including rain, snow, sleet and hail, from entering the structure*, and (vii) has insulation sufficient to protect such dog from outdoor environmental conditions, including, but not limited to, extreme heat or cold, rain, snow or ice, that pose an adverse risk to the health or safety of such dog. The provisions of this *sub*section shall not be construed to apply to: (I) Any exhibition, show, contest or other temporary event at which the skill, breeding or stamina of such dog is judged or examined, (II) any exhibition, class, training session or other temporary event at which such dog is used in a lawful manner to hunt a species of wildlife during the hunting season for such species of wildlife or at which such dog receives training in a lawful manner to hunt such species of wildlife, (III) the temporary tethering of a dog at any camping or recreation area as expressly authorized by the Commissioner of Energy and Environmental Protection, or (IV) the temporary tethering of a dog for a period of time of not more than fifteen minutes in duration.

[(b)] (d) Nothing in this section shall be construed to affect any protection afforded to any dog pursuant to any other provision of the general statutes, regulations of the Connecticut state agencies, local ordinance or local regulation.

[(c)] (e) Any person who confines or tethers a dog for an unreasonable period of time or in violation of the provisions of subsection (a), (b) or (c) of this section shall be fined one hundred dollars for the first offense, two hundred dollars for a second offense, and not less than two hundred fifty dollars or more than five hundred dollars for a third or subsequent offense.

This message is privileged & confidential. Thank You.