

**Proposed Substitute
Bill No. 5355**

LCO No. 2639

**AN ACT ESTABLISHING STANDARDS FOR THE ADEQUACY OF DOG
SHELTER DURING EXTREME WEATHER CONDITIONS.**

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

1 Section 1. Section 22-350a of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2018*):

3 (a) No person shall tether a dog to a stationary object or to a mobile
4 device, including, but not limited to, a trolley or pulley by means of:
5 (1) A tether that does not allow such dog to walk at least eight feet,
6 excluding the length of such dog as measured from the tip of such
7 dog's nose to the base of such dog's tail, in any one direction, (2) a
8 tether that does not have swivels on both ends to prevent twisting and
9 tangling, unless a person is in the presence of such dog, (3) a coat
10 hanger, choke collar, prong-type collar, head halter or any other collar,
11 halter or device that is not specifically designed or properly fitted for
12 the restraint of such dog, (4) a tether that has weights attached or that
13 contains metal chain links more than one-quarter of an inch thick, [or]
14 (5) a tether that allows such dog to reach an object or hazard,
15 including, but not limited to, a window sill, edge of a pool, fence,
16 public road or highway, porch or terrace railing that poses a risk of
17 injury or strangulation to such dog if such dog walks into or jumps
18 over such object or hazard, unless a person is in the presence of such
19 dog, or (6) a tether that does not permit the dog continuous access to

20 water in a sanitary and liquid state whenever the dog is tethered for
21 more than fifteen minutes. The provisions of subdivisions (1) and (2) of
22 this subsection shall not be construed to apply to: (A) Any veterinary
23 practice licensed pursuant to section 20-197 that tethers a dog in the
24 course of such veterinary practice, (B) any exhibition, show, contest or
25 other temporary event in which the skill, breeding or stamina of such
26 dog is judged or examined, (C) any exhibition, class, training session or
27 other temporary event in which such dog is used in a lawful manner to
28 hunt a species of wildlife during the hunting season for such species of
29 wildlife or in which such dog receives training in a lawful manner to
30 hunt such species of wildlife, (D) the temporary tethering of a dog at
31 any camping or recreation area as expressly authorized by the
32 Commissioner of Energy and Environmental Protection, or (E) the
33 temporary tethering of a dog at a grooming facility in the course of
34 grooming such dog.

35 (b) No person shall: [~~tether~~] (1) Tether a dog outdoors to a stationary
36 object or to a mobile device, including, but not limited to, a trolley or a
37 pulley, [~~when~~] or (2) fail to provide a dog with continuous access to
38 adequate shelter when a weather advisory or warning is issued by
39 local, state or federal authorities or when outdoor environmental
40 conditions, including, but not limited to, extreme heat, cold, wind,
41 rain, snow or hail, pose an adverse risk to the health or safety of such
42 dog based on such dog's [~~breed~~] size, age or physical condition, unless
43 tethering or lack of access to adequate shelter is for a duration of not
44 longer than fifteen minutes.

45 (c) Nothing in this section shall be construed to affect any protection
46 afforded to any dog pursuant to any other provision of the general
47 statutes, regulations of the Connecticut state agencies, local ordinance
48 or local regulation.

49 (d) Any person who confines or tethers a dog for an unreasonable
50 period of time or in violation of the provisions of subsection (a) or (b)
51 of this section shall be fined one hundred dollars for the first offense,
52 two hundred dollars for a second offense, and not less than two

53 hundred fifty dollars or more than five hundred dollars for a third or
54 subsequent offense.

55 (e) Notwithstanding the provisions of subsection (b) of this section,
56 adequate shelter need not be continuously provided to a dog when a
57 person is in the presence of the dog and exposed to the same adverse
58 environmental conditions as the dog.

59 (f) For purposes of this section, "adequate shelter" means any
60 structure that meets the following standards and requirements:

61 (1) It provides at all times (A) access to water in a sanitary and
62 liquid state, and (B) space that enables the dog to readily turn around,
63 sit and lie down;

64 (2) It is constructed and maintained in a manner to minimize the
65 accumulation of any waste, debris, precipitation and other moisture in
66 and around the shelter and maximize the dog's exposure to natural or
67 artificial light according to a regular diurnal light cycle;

68 (3) It is soundly constructed to prevent the sagging or collapse of the
69 structure;

70 (4) In the event of adverse cold weather environmental conditions, it
71 is an enclosed structure that has a solid roof, a solid floor that is raised
72 off the ground, and insulation, dry bedding and a windbreak at the
73 entrance that are sufficient to maintain the dog's normal body
74 temperature;

75 (5) In the event of adverse hot weather environmental conditions, it
76 provides the dog with sufficient shade and ventilation to maintain the
77 dog's normal body temperature; and

78 (6) It does not contain a supplemental heating mechanism that poses
79 a risk of fire.

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| <p>This act shall take effect as follows and shall amend the following sections:</p> |
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| Section 1 | <i>October 1, 2018</i> | 22-350a |
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