

1 HB551
2 209590-3
3 By Representative Bedsole
4 RFD: Agriculture and Forestry
5 First Read: 16-MAR-21

8 SYNOPSIS: This bill would prohibit an individual from
9 tethering a dog to a stationary object for a
10 certain period of time and under certain
11 circumstances.

12 This bill would provide for requirements of
13 a tether when used properly.

14 This bill would provide for certain times
15 and temperatures in which tethering a dog is
16 prohibited.

17 This bill would also provide that violation
18 of this act constitutes the crime of cruelty to
19 animals and would provide for exceptions.

20 Amendment 621 of the Constitution of Alabama
21 of 1901, as amended by Amendment 890, now appearing
22 as Section 111.05 of the Official ReCompilation of
23 the Constitution of Alabama of 1901, prohibits a
24 general law whose purpose or effect would be to
25 require a new or increased expenditure of local
26 funds from becoming effective with regard to a
27 local governmental entity without enactment by a

1 2/3 vote unless: it comes within one of a number of
2 specified exceptions; it is approved by the
3 affected entity; or the Legislature appropriates
4 funds, or provides a local source of revenue, to
5 the entity for the purpose.

6 The purpose or effect of this bill would be
7 to require a new or increased expenditure of local
8 funds within the meaning of the amendment. However,
9 the bill does not require approval of a local
10 governmental entity or enactment by a 2/3 vote to
11 become effective because it comes within one of the
12 specified exceptions contained in the amendment.

13
14 A BILL
15 TO BE ENTITLED
16 AN ACT

17
18 Relating to animals; to prohibit the tethering of
19 dogs under certain circumstances; to provide for tethering
20 requirements; to provide for requirements of a shelter when
21 tethering a dog; to provide that a violation constitutes the
22 crime of cruelty to animals; to provide for exceptions; and in
23 connection therewith would have as its purpose or effect the
24 requirement of a new or increased expenditure of local funds
25 within the meaning of Amendment 621 of the Constitution of
26 Alabama of 1901, as amended by Amendment 890, now appearing as

1 Section 111.05 of the Official ReCompilation of the
2 Constitution of Alabama of 1901.

3 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

4 Section 1. (a) No dog may be tethered under any of
5 the following circumstances:

6 (1) To a stationary object or cable run system
7 between the hours of 10:00 p.m. to 5:00 a.m.

8 (2) In temperatures below 32 degrees, unless the dog
9 has access to a shelter with dry bedding.

10 (3) In a winter storm watch or warning, heat
11 advisory, hurricane, tropical storm, or tornado warning that
12 has been issued for the jurisdiction by the National Weather
13 Service.

14 (4) In any choke, pinch, or prong type collar while
15 the dog is connected to a tether.

16 (b) If a dog is tethered, all of the following shall
17 apply:

18 (1) The dog shall be tethered to a cable system that
19 allows for 12 feet of unencumbered travel.

20 (2) The tether shall be four times the length of the
21 dog or 12 feet, whichever is greater.

22 (3) The tether shall be no more than 1/8 of the
23 animal's weight.

24 (4) The dog shall wear, while tethered, a properly
25 fitted collar or harness that allows for free travel and
26 causes no injury to the dog.

1 (c) In addition to subsection (b), a dog on a tether
2 shall have access to food, water, and proper shelter that has
3 a roof and sides to protect the dog from the elements. Shelter
4 shall have bedding and shall be of a size and kind where the
5 animal may easily enter, turn around, and lie down away from
6 the elements. The tether used shall not encumber the dog from
7 being able to properly utilize the shelter provided.

8 (d) Hunting dogs are exempt from this section while
9 being transported to or from, or while on, a hunting or
10 training exercise trip.

11 (e) A dog may be restrained in compliance with the
12 requirements of a camping or recreational area as defined by a
13 federal, state, or local authority or jurisdiction.

14 (f) A dog may be restrained for a reasonable period
15 of time necessary for the owner to complete a temporary task
16 that requires the dog to be restrained, but no longer than 12
17 hours. In this circumstance, water, food, and shelter must be
18 provided.

19 (g) An individual who violates this section shall be
20 charged with cruelty to animals as referenced in Section
21 13A-11-14, Code of Alabama 1975, and fined pursuant to that
22 section.

23 Section 2. Although this bill would have as its
24 purpose or effect the requirement of a new or increased
25 expenditure of local funds, the bill is excluded from further
26 requirements and application under Amendment 621, as amended
27 by Amendment 890, now appearing as Section 111.05 of the

1 Official ReCompilation of the Constitution of Alabama of 1901,
2 as amended, because the bill defines a new crime or amends the
3 definition of an existing crime.

4 Section 3. This act shall become effective on the
5 first day of the third month following its passage and
6 approval by the Governor, or its otherwise becoming law.