

TETHERING ACT

An act to amend the agriculture and markets law, in relation to the tethering of dogs.

A.165 Assembly Member Rosenthal L.	S.6380 Senator Brisport
Co-Sponsors: Jackson, Stern, Glick, Davila, Kelles, Simone	
REFERRED TO: AGRICULTURE, A/M Lupardo, Chair	REFERRED TO: AGRICULTURE, Senator Hinchey, Chair



BACKGROUND:

- Tethering is a high-risk factor in dog bites and attacks.
- Victims of such attacks are often children who approach the dog unaware of the risks.
- Tethered dogs' collars frequently become embedded in their skin causing infection and severe pain. They are at high risk of entanglement, strangulation and attacks by other dogs or people.
- Tethered dogs are often left without sufficient food and water when bowls are overturned, out of reach, or their water is frozen.
- Owners who chain their dogs are less likely to clean the area of confinement and less likely to provide adequate veterinary care.
- Tethered dogs often have no access to shelter from extreme heat and cold, snow, rain, and storms. Inadequate shelter is not waterproof -- providing little heat and protection, but law enforcement can unfortunately allow the owner to keep their pet in these conditions.

SUMMARY OF PROPOSED BILL (LOHV NY PROPOSED AMENDMENTS ARE HIGHLIGHTED):

- No dog shall be tethered outdoors between the hours of 10 P.M. and 6 A.M.
- A dog shall not be tethered outside for longer than four (4) consecutive hours or a total time outside in excess of six (6) hours in a 24-hour period.
- The dog must not be tethered outdoors when a weather advisory or warning is issued by local, state or federal authorities or when outdoor environmental conditions, including, but not limited to heat, cold, wind, rain, snow or hail pose an adverse risk to the health or safety of such dog based on such dog's breed, age or physical condition.
- Tethered dogs must have unencumbered access to shade, food, water, shelter, and dry ground without becoming entangled. No dog shall be tethered to a vacant property or any tethering that could lead to the distress, serious discomfort, injury, or death of the dog.
- The structure shall include a heavy plastic or rubber flap to cover the door and/or window openings during the months of November through March. From April through October, the structure shall either be shaded or moved out of direct sunlight. If the shelter is made of wood, it shall be raised at least two inches off the ground to prevent seepage or rotting. Examples of inadequate shelter include, but are not limited to, lean-tos, metal or plastic drums, boxes, abandoned vehicles, porches, decks, or material that does not provide sufficient protection from the elements.
- Dogs cannot be tethered in temperatures under 40F degrees or over 85F degrees.