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**SENATE BILL 5424**

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**State of Washington**

**65th Legislature**

**2017 Regular Session**

**By** Senators Chase and Rolfes

Read first time 01/24/17. Referred to Committee on Law & Justice.

1 AN ACT Relating to unlawful tethering; adding a new chapter to  
2 Title 16 RCW; and providing an effective date.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 NEW SECTION. **Sec. 1.** This act may be known and cited as the  
5 unlawful dog tethering act of 2017.

6 NEW SECTION. **Sec. 2.** (1) The legislature finds:

7 (a) When a tether that is not a reasonable length given the size  
8 of the domestic dog and available space, it allows the domestic dog  
9 to become entangled in a manner that risks the health or safety of  
10 the domestic dog.

11 (b) Dogs are naturally social animals who crave interaction with  
12 humans and other animals. Dogs continually kept on chains suffer from  
13 immense physical damage, boredom, anxiety, and often become  
14 aggressive.

15 (c) Domesticated dogs on chains are victims to predators as they  
16 cannot escape attack from another animal.

17 (d) Chained dogs are vulnerable for thieves looking for animals  
18 to resell or use as training in organized dog fighting.

1 (e) Chains or tethers can get caught on other objects, and the  
2 domestic dog may not be able to get access to food, water, or  
3 adequate shelter, if it is available.

4 (f) Dogs chained for long periods of time can become aggressive  
5 "resource guarders," protecting their space.

6 (g) Inadequate bedding can cause injury to the bone and muscle  
7 mass of the animal, another contributor to physical injury.

8 (h) Over twenty states, including our neighboring state, Oregon,  
9 have already passed some form of an antitethering law.

10 (i) Tethering causes injury, mental exhaustion, and aggression  
11 within a dog.

12 (j) Animal control officers and our communities need clear,  
13 consistent minimum care standards they can enforce. A law regarding  
14 tethering can be used as an opportunity for animal control to educate  
15 dog owners on proper care, and give them the ability to impound a  
16 neglected animal.

17 (2) Therefore, the legislature intends to prohibit tethering of  
18 domestic dogs.

19 NEW SECTION. **Sec. 3.** (1) Except as provided in subsection (2)  
20 of this section, a person may not restrain a domestic dog for more  
21 than ten hours in a twelve-hour period or more than fourteen hours in  
22 a twenty-four hour period using a tether, chain, tie, trolley, or  
23 pulley system that:

24 (a) Is less than twelve feet in length;

25 (b) Fails to allow the dog to move at least twelve feet;

26 (c) Allows the dog to reach a fence or other object in which it  
27 could become entangled; or

28 (d) Uses a prong, pinch, or choke collar.

29 (2) A person may tether a domestic dog:

30 (a) If the dog remains in the physical presence of the person who  
31 owns, possesses, controls, or otherwise has charge of it;

32 (b) Pursuant to the requirements of a campground or other  
33 recreational area;

34 (c) For the purpose of engaging in an activity that requires  
35 licensure in this state, including but not limited to hunting;

36 (d) To allow the person to transport the dog; or

37 (e) If the dog is kept for herding, protecting livestock, or  
38 dogsledding.

1        NEW SECTION.    **Sec. 4.**    The definitions in this section apply  
2 throughout this chapter unless the context clearly requires  
3 otherwise.

4        (1) "Adequate bedding" means bedding of sufficient quantity and  
5 quality to permit a domestic dog to remain dry and reasonably clean  
6 and maintain a normal body temperature.

7        (2) "Adequate shelter" includes a barn, doghouse, or other  
8 enclosed structure sufficient to protect a domestic dog from wind,  
9 rain, snow, or sun, that has adequate bedding that is maintained to  
10 protect the domestic dog from physical injury.

11        (3) "Domestic dog" means a dog that is owned or possessed by a  
12 person.

13        (4) "Minimum care" means care sufficient to preserve the health  
14 and well-being of a domestic dog and, except for emergencies or  
15 circumstances beyond the reasonable control of the owner, includes  
16 but is not limited to the following requirements:

17        (a) Food of sufficient quantity and quality to allow for normal  
18 growth or maintenance of body weight;

19        (b) Open or adequate access to potable water, not including snow  
20 or ice, in sufficient quantity to satisfy the dog's needs; and

21        (c) Veterinary care deemed necessary by a reasonably prudent  
22 person to relieve distress from injury, neglect, or disease.

23        (5) "Physical injury" means physical trauma, impairment of  
24 physical condition, or substantial pain.

25        (6) "Physical trauma" means fractures, cuts, punctures, bruises,  
26 burns, or other wounds.

27        (7) "Possess" means to own or have as belonging to one.

28        (8) "Serious physical injury" means physical injury that creates  
29 a substantial risk of death or that causes protracted disfigurement,  
30 protracted impairment of health, or protracted loss or impairment of  
31 the function of a limb or bodily organ.

32        (9) "Tethering" means to restrain a domestic dog by tying it to  
33 any object or structure by any means.

34        NEW SECTION.    **Sec. 5.**    This act takes effect January 1, 2018.

35        NEW SECTION.    **Sec. 6.**    Sections 1 through 5 of this act  
36 constitute a new chapter in Title 16 RCW.

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