



General Assembly

**Proposed Substitute
Bill No. 274**

February Session, 2010

LCO No. 2695

**AN ACT PROHIBITING THE UNREASONABLE CONFINEMENT AND
TETHERING OF DOGS.**

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 Section 22-350a of the general statutes is repealed and the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, 2010*):

3 (a) Any person who confines or tethers a dog [for an unreasonable
4 period of time] in an unreasonable manner shall be fined [not more
5 than] one hundred dollars for the first offense, [not less than one] two
6 hundred dollars [or more than two hundred fifty dollars] for a second
7 offense, and not less than two hundred fifty dollars or more than five
8 hundred dollars for any subsequent offense. Upon a third or
9 subsequent offense, an animal control officer may seize such dog, and
10 upon conviction for such third or subsequent offense, a court may
11 order forfeiture of such dog. Each day that a dog is confined or
12 tethered in an unreasonable manner shall constitute a separate offense.

13 (b) For purposes of this section, a person confines a dog in an

14 unreasonable manner if: (1) For one dog, such person places such dog
15 in an enclosure that consists of less than one hundred square feet of
16 space and there is evidence that such enclosure is the primary location
17 where such dog eats, drinks, sleeps and eliminates waste, or (2) for two
18 or more dogs, such person places two or more dogs in an enclosure
19 that consists of less than one hundred fifty square feet of space, and
20 less than fifty additional square feet of space for each additional dog
21 over two dogs, and there is evidence that such enclosure is the primary
22 location where such dogs eat, drink, sleep and eliminate waste.

23 (c) For purposes of this section, a person tethers a dog in an
24 unreasonable manner if such person attaches such dog, when the
25 owner or keeper is not outside in the presence of such dog, to a
26 stationary object, including, but not limited to, a tree, dog house or
27 fence or attaches such dog to a moveable device, including, but not
28 limited to, a pulley or trolley: (1) By means of a choke or prong-type
29 collar or any means other than a properly fitted collar, harness or other
30 device designed expressly for such purpose; (2) by any means other
31 than a lightweight cable that allows such dog to travel not less than ten
32 feet in any one direction; (3) in a manner that obstructs such dog's
33 access to nonfrozen water or shelter, or food when it is provided in
34 accordance with subsection (a) of section 53-247; (4) in a manner that
35 prevents such dog from lying, sitting or standing without the collar,
36 harness, lightweight cable or other device used to restrain the dog
37 becoming taut; or (5) in a manner that results, or reasonably could
38 result, in the injury, strangulation or entanglement of such dog.

39 (d) The space requirements described in subsection (b) of this
40 section and the prohibition on tethering to a stationary object
41 described in subdivision (1) of subsection (c) of this section shall not be
42 construed to apply to: (1) Any kennel licensed pursuant to section 22-
43 342; (2) any commercial kennel, pet shop, training facility or grooming
44 facility licensed pursuant to section 22-344; (3) any facility utilized by a
45 nonprofit corporation that is organized for animal welfare purposes,
46 for the temporary boarding of any dog that is in need of a new owner;

47 (4) any pound, as defined in section 22-380e; (5) any veterinary practice
48 licensed pursuant to section 20-197; (6) any exhibition, show, contest or
49 other temporary event in which the skill, breeding, or stamina of the
50 dog is judged or examined; (7) any exhibition, class, session or other
51 temporary event in which dogs are being used lawfully to hunt a
52 species of wildlife in this state during the hunting season for that
53 species or lawfully receiving training to hunt wildlife; (8) any camping
54 or recreation area, in accordance with any applicable rule or ordinance;
55 or (9) any federal, state or local law enforcement agency or military or
56 National Guard unit.

57 (e) It shall be an affirmative defense to a charge alleging violation of
58 the space requirements of subsection (b) of this section or the
59 prohibition on tethering to a stationary object in violation of
60 subdivision (1) of subsection (c) of this section that such dog is
61 regularly released from confinement or tethering, as applicable, in
62 order to lawfully hunt wildlife or lawfully receive training to hunt
63 wildlife.

64 (f) Nothing in this section shall be construed to affect any other
65 protection afforded to dogs under any other provision of the general
66 statutes.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2010	22-350a