



ILLINOIS AMENDS “HUMANE CARE FOR ANIMALS ACT” TO INCLUDE TETHERING

The Issue.

Illinois Senate Bill 2580 proposes to amend the state “Humane Care for Animals Act” by adding tethering guidelines.

The Impact.

This legislation defines “tether” as “to restrain a dog by tying it to any object or structure, including without limitation a house, tree, fence, post, garage, shed, or clothes line, by any means, including without limitation a chain, rope, cord, leash, or running line”.

The Act would be amended by restricting that a dog may be tethered outdoors only if all of the following requirements are met:

- The dog must be visible to the responsible party;
- The dog must be tethered in such a manner as to prevent injury, including strangulation;
- The dog must be at least six months of age;
- The dog must not suffer from illness or injury that is exacerbated by being tethered;
- The dog must have access at all times to drinking water, shelter, and a dry surface;
- If multiple dogs are tethered on the same property, each dog must be tethered separately, and each dog must have a separate food and water bowl. Each dog must also have access to separate shelter. If multiple dogs are tethered, sufficient space must be placed between the leads to ensure that the leads do not tangle;
- The lead must not exceed one-eighth of the dog's body weight and must not be made of a tow chain or log chain, which is any chain that is more than one-quarter of an inch in width;
- The lead must be 15 feet or longer in length.
- The lead must be attached to the dog by a properly-fitting collar and must not wrap directly around the dog's neck. Pinch, prong, or choke-type collars shall not be used to tether a dog; and
- The length and location of the lead must prevent the dog from moving outside of its owner's property.

Also, even if the above requirements are met it shall be unlawful to tether a dog outdoors:

- between the hours of 10 p.m. and 6 a.m.; and



- during extreme weather conditions, including conditions in which a heat or wind chill advisory or a severe weather warning has been issued for the jurisdiction by the National Weather Service.

Any person found in violation of these requirements is guilty of a Class A misdemeanor. A second or subsequent violation is a Class 4 felony with every day that a violation continues constituting a separate offense. If the convicted person is a juvenile or a companion animal hoarder, the court must order the convicted person to undergo a psychological or psychiatric evaluation and to undergo treatment that the court determines to be appropriate after due consideration of the evaluation.

Recommended Action.

We want all pet owners to be aware of the guidelines recommended in SB 2580 and to make sure they are in compliance so not to face the harsh penalties proposed. The text to this legislation is attached to the online version of this *PetAlert*, found on the 'Breaking News' page of the PIJAC website (<http://www.pijac.org/petinformation/breakingnews.asp>).

The bill has not yet been placed in a committee. As soon as this information becomes available it will be posted the 'Breaking News' page of the PIJAC website (<http://www.pijac.org/petinformation/breakingnews.asp>), so we urge you to check the website regularly for updates.

If you have further questions please feel free to contact PIJAC's Bambi Nicole Osborne by phone at 202-452-1525 or via email at bambi@pijac.org.

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On behalf of pets, responsible pet owners, and the pet industry, we thank you!

2009 IL S 2580 **AUTHOR:** Holmes
 VERSION: Amended
 VERSION DATE: 03/12/2010

96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

SB2580

Introduced 1/21/2010, by Sen. Linda Holmes

SYNOPSIS AS INTRODUCED:

510 ILCS 70/3.035 new

Amends the Humane Care for Animals Act. Makes it unlawful to tether a dog outdoors unless certain requirements are met. Provides penalties for violations. Defines "tether".

CORRECTIONAL BUDGET AND IMPACT NOTE ACT MAY APPLY

FISCAL NOTE ACT MAY APPLY

A BILL FOR

AN ACT concerning animals.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Amend Senate Bill 2580 by replacing everything after the enacting clause with the following:

Section 5. The Humane Care for Animals Act is amended by adding Section 3.035 as follows:

(510 ILCS 70/3.035 new)

Sec. 3.035. Tethering.

(a) As used in this Section, "tether" means to restrain a dog by tying it to any object or structure, including without limitation a house, tree, fence, post, garage, shed, or clothes line on the person's residence or business, by any means, including without limitation a chain, rope, cord, leash, or running line.

(b) A dog may be tethered outdoors only if all of the following requirements are met:

(1) The dog must not suffer from a condition that is known by the owner and that is exacerbated by being tethered.

(2) If multiple dogs are tethered on the same property, each dog must be tethered separately. If multiple dogs are tethered, sufficient space must be placed between the leads to ensure that the leads do not tangle.

(3) The lead must not be made of a tow chain or log chain.

(4) The lead must measure 10 feet or longer in length. For the purposes of calculating length under this Section, the enforcing agency shall, after determining the total length of the lead, round remaining fractional portions of a foot greater than or equal to half of a foot up to the next whole foot.

(5) The lead must be attached to the dog by a properly fitting harness or collar. The lead must not wrap directly around the dog's neck. Pinch, prong, or choke-type collars shall not be used to tether a dog.

(6) The length and location of the lead must prevent the dog from moving outside of its owner's property.

(c) Even if all of the requirements of subsection (b) are met, it shall be unlawful to tether a dog outdoors between the hours of 10 pm and 6 am; except that a dog of any age may be temporarily tethered, tied, or chained outdoors for a time period not exceeding 15 minutes or a dog may be tethered if it has access to adequate shelter and protection from the weather.

(d) Nothing in this Section shall be construed to prohibit the following:

(1) a person from walking a dog with a hand-held leash;

(2) conduct that is directly related to the cultivating of agricultural products, including shepherding or herding cattle or livestock, if the restraint is reasonably necessary for the safety of the dog; or

(3) tethering of a dog while at an organized and lawful animal function such as hunting, obedience training, field and water training, performance and conformation events, or law enforcement training, or while in the pursuit of working or competing in those endeavors.

(e) A person convicted of violating this Section is guilty of a Class B misdemeanor. A second or subsequent violation is a Class 4 felony with every day that a violation continues constituting a separate offense. If the convicted person is a juvenile or a companion animal hoarder, the court must order the convicted person to undergo a psychological or psychiatric evaluation and to undergo treatment that the court determines to be appropriate after due consideration of the evaluation.

(f) Nothing in this Section shall be construed to supersede the duties of an owner as enumerated in Section

3.