

**BASIC STANDARDS OF SHELTER AND CARE FOR RESTRAINED DOGS**

Texas Health and Safety code, § 821.077, titled “Unlawful Restraint of Dogs”, was created in 2007, to establish requirements for restraining a dog living outside on a tie-out device, to ensure the safety and health of the animal and community. The Texas Animal Control Association, LEO’s, and prosecutors state the law is unenforceable due to confusing language and a mandatory 24-hour warning period that limits an officer’s immediate enforcement of this statute, thereby preventing them from intervening in a critically unsafe situation. The following fixes are needed:

**IMPROVEMENTS AND CLARIFICATIONS BILL MAKES TO EXISTING LAW:**

* **Defines adequate shelter, which citizens are currently mandated to provide but are unclear on what is “adequate.”** The new definition protects from exposure to extreme temperatures and standing water and must be large enough to allow the dog to stand, turn around, and lie down.
* Requires **access to water**.
* **Doubles the tie-out restraint length to ensure adequate movement**.
* **Prohibits the use of a chain**. Device must be attached to a collar or harness properly fitted to the dog. (Chains are #1 one cause of unsafe and unlawful conditions.)
* **Strikes the mandatory 24-hour warning period** to allow officers to utilize their discretion to issue citations when situations are unsafe and imminent danger is present.

**PROPOSED CHANGES ENSURE THE HEALTH AND SAFETY OF ALL:**

* **Chains are heavy and cause undue pain and injury when they easily tangle leading to aggression in dogs**. Pain and a lack of access to basic care causes dogs to be aggressive. There are many reports of chains breaking and aggressive dog attacks on children.
* **The current tie-out length does not allow for adequate exercise, leading to aggression and poor health consequences.**
* **The mandatory 24-hour warning/wait period prevents law enforcement from addressing critical and dangerous situations when they occur**.

**KEY EXEMPTIONS:** The Bill exempts when the dog is with his owner or in unattended due to a temporary task such as camping, hunting or fishing, or when the dog is working related to agricultural activities, including when the dog is in a pick-up truck.

**ENDORSEMENTS:** Including but not limited to TX Animal Control Assn., Texas Veterinary Medical Association, TML, TMPA, and Combined Law Enforcement Agencies of Texas (CLEAT).

Shelby Bobosky, President: [shelby@thln.org](mailto:shelby@thln.org) / Laura Donahue Halloran, Exec. Director: [laura@thln.org](mailto:laura@thln.org) [www.thln.org](http://www.thln.org/)

**FACT SHEET FACT SHEET FACT SHEET FACT SHEET FACT SHEET FACT SHEET FACT SHEET**