

SETTING THE RECORD STRAIGHT ON SB 1090

SB 1090 fixes the current statewide tethering law passed in 2007. Its simple purpose is to prevent the tethering of dogs in a manner that causes unsafe and harmful circumstances for the dog. Recently, a group calling itself “Responsible Pet Owners Alliance” (RPOA) – which receives lobbying funds from a Utah-based Pit Bull Breeder group and, the Ohio-based Sportmen’s Alliance has made false claims in handouts and action alerts on the Internet that mischaracterizes the bill. The many Texas supporters of SB 1090 set the record straight.

- FALSE CLAIM:** SB 1090 is unnecessary because the Penal Code, Section 42.092, addresses tethering.
TRUTH: There is no specific language in Section 42.092 of the Texas Penal Code regarding tethering. This bill clarifies the existing statute (Health and Safety Code, Subchapter 822.D) and ensures dogs have necessary minimum standards of care while tethered. The bill also allows improper tethering to be proactively addressed before a situation rises to “animal cruelty,” a more serious offense, which would require more local law enforcement time, money and resources.
- FALSE CLAIM:** The size of the “shelter” that allows the dog to stand up and turn around is too large.
TRUTH: The “shelter” size, as defined in the bill, is based on the size of the dog as allowed to stand and lie down in a normal manner, which is a similar size requirement in statute for dog breeding facilities and shelters. Again, this bill is supported by the experts at the Texas Veterinary Medical Association.
- FALSE CLAIM:** SB 1090 affects hunters, ranchers and farmers.
TRUTH: SB 1090 specifically exempts dogs tethered or restrained during activities such as hunting, ranching and farming activities.
- FALSE CLAIM:** Chains are necessary.
TRUTH: **Chains are not a fool-proof restraint and are harmful and the number one cause of problems officers experience in the field.** Chains rust and links break. In fact, cities that ban tethering altogether have fewer dogs running at large and dog bite cases. Chains have been proven to contribute to aggression in dogs. Instead, safe affordable alternatives are available that are stronger than chains. However, some dogs are best kept in kennels, pens or fenced dog runs.
- FALSE CLAIM:** Tethering is “rural/small cities” vs “urban areas”.
TRUTH: **The bill’s companion bill (HB 1156) has over 40 co-authors from both rural and urban areas. In particular, rural areas often rely on state statute and therefore are eager to fix this broken law.**
- FALSE CLAIM:** This new law will become a “harassment tool” for militant “animal rights” extremists.
TRUTH: **The law created by this bill will be enforced only by animal control officers and law enforcement officers. SB 1090 is supported by the Texas Animal Control Association), Texas Veterinary Medical Association, Texas Municipal Police Association, and Texas Municipal League.** SB 1090 simply clarifies a ten-year-old existing law and permits tethering a dog 24/7; if it meets the minimum requirements for safety and care of the animal.
- FALSE CLAIM:** The “exemptions” in the bill are worthless and many legitimate dog events are not “licensed by the state.” SB 1090 will require owners to remain outside “at all times” with the dog.
TRUTH: **No such requirement exists in the bill; however, in a response to concerns the amended bill exempts owners while engaged in *any* events or temporary activities – licensed or not.**