

HB446 INTRODUCED



1 HB446
2 U93CJDG-1
3 By Representatives Ensler, Rafferty
4 RFD: Agriculture and Forestry
5 First Read: 12-Feb-26



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4 SYNOPSIS:

5 Under existing law, animals are afforded
6 protections regarding their care in this state.

7 This bill would require certain methods be used
8 when tethering or confining a dog.

9 This bill would require certain minimum care be
10 provided to dogs kept outside using one of these
11 methods.

12 This bill would exempt certain persons and
13 activities from these requirements.

14 This bill would provide a criminal penalty for
15 tethering or confining a dog in violation of this act.

16 This bill would also provide for county and
17 municipal animal control officers to inspect and
18 enforce violations of this act.

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21 A BILL

22 TO BE ENTITLED

23 AN ACT

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25 Relating to dogs; to provide methods for tethering and
26 confining dogs; to provide certain standards of care for dogs
27 kept outside; to exempt certain persons and activities; to
28 provide criminal penalties for violations; and to provide for



29 political subdivisions' agents to inspect violations.

30 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

31 Section 1. This act shall be known and may be cited as
32 the Alabama Dog Tethering and Outdoor Shelter Act.

33 Section 2. For purposes of this act, the following
34 terms have the following meanings:

35 (1) ADEQUATE FOOD. Food that is sufficient in amount
36 and is appropriate for the particular type of dog to prevent
37 starvation or a significant risk to the dog's health from lack
38 of food. The term includes palatable, uncontaminated, and
39 nutritionally appropriate food that is fed according to
40 species requirements or as directed by a veterinarian.

41 (2) ADEQUATE WATER. Water that is sufficient in amount
42 and is appropriate for the particular type of dog to prevent
43 dehydration or a significant risk to the dog's health from
44 lack of water. The term includes potable water offered to dogs
45 at suitable intervals according to the species requirements or
46 as directed by a veterinarian.

47 (3) PROPERLY FITTED. When a collar or harness is worn
48 by a dog, all of the following apply:

49 a. Appropriately sized for a dog based on the dog's
50 measurement and body weight.

51 b. Does not choke a dog or impede the dog's normal
52 breathing or swallowing.

53 c. Does not cause discomfort, pain, or injury to the
54 dog.

55 Section 3. (a) (1) A person may not leave or keep a dog
56 chained or tethered to a stationary object, including a



57 structure, doghouse, pole, or tree unless the dog is tethered
58 to a trolley system that satisfies all of the following:

59 a. The tether is designed for dogs.

60 b. The tether does not weigh more than one-eighth of
61 the dog's body weight.

62 c. The trolley system does not allow the dog to leave
63 the property of the owner or keeper.

64 d. Only one dog is tethered to each cable attached to
65 the trolley system.

66 e. The tether is attached to a properly fitted collar
67 or harness worn by the dog.

68 f. The tether has a swivel on both ends to minimize
69 tangling of the collar.

70 g. The tether and cable run are both at least 10 feet
71 in length and the cable run is secured at least four feet, but
72 not more than seven feet, above ground level.

73 h. The length of the tether from the cable run to the
74 dog's collar or harness allows continuous access at all times
75 to adequate food and adequate water and shelter as described
76 in Section 4.

77 i. The trolley system is of an appropriate
78 configuration to confine the dog to the property of the owner
79 or keeper, prevent the cable run and tether from extending
80 over an object or edge that could result in injury or
81 strangulation of the dog, and prevent the cable run and tether
82 from becoming tangled with other objects or animals.

83 (2) A logging chain or other line or device not
84 designed or intended for tethering a dog, or a choke collar or

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85 pinch collar, may not be used to indefinitely tether a dog.

86 (b) A person may not keep a dog confined unless the dog
87 is confined in accordance with either of the following:

88 (1)a. Within a secure enclosure that has adequate space
89 for exercise depending upon the age, size, breed, and weight
90 of the dog.

91 b. The secure enclosure is constructed with chain link
92 or other sturdy material, with all four sides enclosed and
93 with a minimum height sufficient to confine the dog.

94 (2) Confined in a fully fenced, including
95 electronically fenced, or otherwise securely enclosed yard
96 where the dog has the ability to run but is unable to leave
97 the yard.

98 (c) Subsections (a) and (b) do not apply to any of the
99 following:

100 (1) A licensed veterinary practice that tethers or
101 confines a dog in the course of its practice.

102 (2) A boarding kennel or public or private animal
103 shelter with secure enclosures for the temporary boarding or
104 housing of dogs.

105 (3) An exhibition, trial, show, contest, or other
106 temporary event in which skill, breeding, or stamina of a dog
107 is judged or examined.

108 (4) A dog that is used for obedience purposes or
109 receives training in a lawful manner to hunt or retrieve
110 wildlife.

111 (5) The temporary tethering of a dog at any campsite,
112 recreation area, or home.



113 (6) A licensed grooming shop or facility during the
114 grooming of a dog.

115 (7) Any emergency circumstance during which tethering a
116 dog is necessary but not exceeding a reasonable amount of time
117 with respect to the weather.

118 Section 4. In addition to any other requirement by law,
119 a person leaving or keeping a dog confined or tethered outside
120 shall provide the dog with access to shelter that complies
121 with all of the following:

122 (1) Allows the dog to remain dry and protected from the
123 elements and inclement weather, including providing shade for
124 the dog and containing adequate bedding for cold weather when
125 necessary.

126 (2) Has a roof, walls, and a solid floor.

127 (3) Is constructed or manufactured of durable materials
128 and provides adequate ventilation.

129 (4) Has adequate space for the dog to stand up, turn
130 around, lie down in a normal position, and extend its limbs.

131 (5) Is free from accumulated waste, standing water, and
132 debris.

133 (6) Allows the dog unlimited access to the shelter.

136 (1) A dog whose purpose is or that is receiving
137 training in conduct that is directly related to the business
138 of shepherding or herding livestock, cultivating agricultural
139 products, hunting, or retrieving.

140 (2) An individual walking a dog on a leash.



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141 (3) An individual tethering a dog near a place of
142 business while the individual is inside or otherwise
143 interacting with the business, subject to the following
144 conditions:

145 a. The dog is tethered for a reasonable amount of time
146 with respect to the weather.

147 b. The dog is tethered in a reasonable location near
148 the place of business.

154 (b) Upon having probable cause that a violation of this
155 act has occurred, a certified law enforcement officer may do
156 either of the following:

157 (1) Remove a dog from its present location if he or she
158 believes the animal's life is in danger; or

161 (c) The removal of a dog or the issuance of an order to
162 provide care to a dog shall be subject to the hearing and
163 disposition requirements and procedures provided in Sections
164 13A-11-244 and 13A-11-245, Code of Alabama 1975.

165 (d) A county, municipality, animal control officer, or
166 certified law enforcement officer, acting in good faith, may
167 not be liable for any actions taken pursuant to this act,
168 regardless of whether a dog that is removed is returned to its

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169 owner.

170 Section 7. A person who violates this act shall pay the
171 full costs of boarding and providing veterinarian care to the
172 dog and be guilty of a Class A misdemeanor.

173 Section 8. This act shall become effective on October
174 1, 2026.