

HB446 INTRODUCED



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



SYNOPSIS:

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

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

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

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

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

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

A BILL
TO BE ENTITLED
AN ACT

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



HB446 INTRODUCED

political subdivisions' agents to inspect violations.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

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

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

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

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

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

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

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

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



HB446 INTRODUCED

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

a. The tether is designed for dogs.

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

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

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

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

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

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

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

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

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



HB446 INTRODUCED

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

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

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

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

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

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

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

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

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

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

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



HB446 INTRODUCED

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

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

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

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

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

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

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

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

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

Section 5. This act does not apply to any of the following:

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

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



HB446 INTRODUCED

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

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

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

Section 6. (a) The governing body of a county or municipality may, but is not required to, appoint one or more animal control officers to investigate alleged violations of this act. An investigating officer shall not be required to be a certified law enforcement officer.

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

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

(2) Order the owner provide care to the dog at the owner's expense to comply with this act.

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

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



HB446 INTRODUCED

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.