

## SB295/HB940 - 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 to ensure the safety and health of the animal and community. The Texas Animal Control Association, LEO’s, and prosecutors maintain 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. This bill addresses the following:

### IMPROVEMENTS AND CLARIFICATIONS TO EXISTING LAW:

- **Requires and defines adequate shelter.** 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.**
- **Prohibits the use of a chain.** Restraint must be attached to a collar or harness properly fitted to the dog. (Chains are #1 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 mandatory 24-hour warning/wait period prevents law enforcement from addressing critical and dangerous situations when they occur,** leading to death, injury and repeat offenders.

**KEY EXEMPTIONS:** The Bill exempts when the dog is with his owner or 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, Texas Animal Control Association (TACA), Texas Veterinary Medical Association (TVMA), Texas Municipal League (TML), Texas Municipal Police Association (TMPA), and Combined Law Enforcement Agencies of Texas (CLEAT).

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