



**OPPOSE SB1099 - An Act Relative to Improving Enforcement for Tethering Violations
– Sen. Mark C. Montigny (D)**

Referred to Joint Committee on the Judiciary

WHAT THIS BILL DOES:

Massachusetts laws already limit unattended tethering to no more than 5 hours in a given 24-hour span, and no overnight hours (10 p.m. – 6 a.m.). This bill’s main objective is to extend this language to include other forms of restraining such as fenced yards or outdoor kennels even if they have adequate access to shelter from bad weather. Being out of the visual range and physical presence of the owner is considered unattended for the purposes of this bill.

WHY YOU SHOULD OPPOSE THIS BILL:

Fenced yards and standard kennel runs with shelter are very effective and safe ways to secure one’s dog for extended periods of time. This bill limits exposure to the elements to only 15 minutes which we believe is unreasonably short. Most dogs enjoy their outside time and are much happier than the alternative of being crated inside for long stretches of time. There are no health reasons to limit the number of hours a dog can be contained in this manner when water and adequate shelter is provided and sanitary conditions are maintained. This bill is unreasonable and just adds to the already unjust limitations we have on tethering a dog.

FOR MORE INFORMATION:

Massachusetts Federation of Dog Clubs and Responsible Dog Owners
Mrs. Bonnie Chandler, bchandler1@charter.net, 978-456-3169
Ms. Holly Sheltry, hollysheltry@hickoryhillkennel.com, 978-356-1644

05/13/21

SENATE No. 1099

The Commonwealth of Massachusetts

PRESENTED BY:

Mark C. Montigny

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to improving enforcement for tethering violations.

PETITION OF:

NAME:

Mark C. Montigny

DISTRICT/ADDRESS:

Second Bristol and Plymouth

SENATE No. 1099

By Mr. Montigny, a petition (accompanied by bill, Senate, No. 1099) of Mark C. Montigny for legislation to improve enforcement for tethering violations. The Judiciary.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. 990 OF 2019-2020.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Second General Court
(2021-2022)**

An Act relative to improving enforcement for tethering violations.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 174E of chapter 140 of the General Laws, as appearing in the 2018
2 Official Edition is hereby amended by striking in paragraph (a) the first and second sentences
3 and replace with:-

4 (a) No person owning or keeping a dog shall chain, confine, or tether a dog outside and
5 unattended (1) for longer than 5 hours or (2) outside from 10:00 p.m. to 6:00 a.m.

6 “Outside and unattended,” for the purposes of this section, shall mean any dog who is
7 exposed to the elements for a duration of longer than 15 minutes and not in visual range and
8 physical presence of the owner. This expressly includes, but is not limited to, a dog in a securely
9 fenced-in yard, a dog in a kennel, or a dog tethered. For purposes of this section a dog shall be
10 considered “outside” regardless of access to an outdoor doghouse or similar structure.

11 No person owning or keeping a dog shall tether, confine or chain a dog in a manner that
12 allows the dog to leave the owner's, guardian's or keeper's property.

13 SECTION 2. Section 174E of chapter 140 is hereby further amended by inserting after
14 the word “chains”, in line 7, the following words:- , pinch collars, choke collars,

15 SECTION 3. Section 174E of chapter 140 is hereby further amended by striking out, in
16 line 7, the words “lines or”

17 SECTION 4. Section 174E of chapter 140 is hereby further amended by inserting after
18 the word “feet”, in line 19, the following words:- per dog

19 SECTION 5. Section 174E of chapter 140 is hereby further amended by striking out, in
20 lines 35-37, the words “provided, however, that a choke collar and a pinch collar shall not be
21 used to tether a dog to a cable run;”

22 SECTION 6. Section 174E of chapter 140 is hereby further amended by striking out the
23 words “in accordance with subsection (b)”, in lines 52-53, and inserting in place thereof the
24 following words:- and unattended

25 SECTION 7. Section 174E of chapter 140 is hereby further amended by striking out in
26 paragraph (c) the third sentence and inserting in place thereof the following sentence:- The
27 entrance to the shelter shall allow the dog's entry and exit, and in adverse weather have a flap or
28 other mechanism sturdy enough to block entry of weather elements.

29 SECTION 8. Section 174E of chapter 140 is hereby further amended by inserting after
30 the word “outside”, in line 64, the following words:- and unattended

31 SECTION 9. Section 174E of chapter 140 is hereby further amended by striking out, in
32 lines 69-70, the words “, unless the tethering is for not more than 15 minutes”

33 SECTION 10. Section 174E of chapter 140 is hereby further amended by striking out, in
34 line 90, the word “and” and inserting in place thereof the following word:- or