

SENATE No. 990

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:	DISTRICT/ADDRESS:	
<i>Mark C. Montigny</i>	<i>Second Bristol and Plymouth</i>	
<i>James K. Hawkins</i>	<i>2nd Bristol</i>	<i>2/1/2019</i>

SENATE No. 990

By Mr. Montigny, a petition (accompanied by bill, Senate, No. 990) of Mark C. Montigny and James K. Hawkins for legislation to improve enforcement for tethering violations. The Judiciary.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-First General Court
(2019-2020)**

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 2016
2 Official Edition is here by 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