

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 58th Legislature (2021)

4 HOUSE BILL 1580

By: Dollens, **Fugate** and
Rosecrants

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7 AS INTRODUCED

8
9 An Act relating to animals; prohibiting persons from
10 chaining or tethering a dog under certain
11 circumstances; requiring tethers meet certain
12 requirements; providing conditions for which a person
13 may confine a dog outside; requiring access to water
14 and shelter; providing shelter enclosure
15 requirements; prohibiting leaving a dog outside in
16 certain weather conditions; providing exceptions;
17 prohibiting certain cruel and inhumane actions;
18 imposing penalties; providing for codification; and
19 providing an effective date.

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SECTION 1. NEW LAW A new section of law to be codified
in the Oklahoma Statutes as Section 48 of Title 4, unless there is
created a duplication in numbering, reads as follows:

A. No person owning or keeping a dog shall chain or tether a
dog outside for longer than five (5) hours in a period of twenty-
four (24) hours from 10:00 p.m. to 6:00 a.m., unless the tethering
is for no longer than fifteen (15) minutes and the dog is not left

1 unattended by the owner, guardian or keeper. The tether shall be
2 designed for dogs, and the use of logging chains or other lines or
3 devices not designed for tethering dogs shall be prohibited. No
4 chain or tether shall weigh more than one-eighth of the dog's body
5 weight. Nothing in this section shall be construed to prohibit a
6 person from walking a dog on a handheld leash. No dog under the age
7 of six (6) months shall be tethered outside for any length of time.

8 B. A person owning or keeping a dog may confine such dog
9 outside, subject to the restrictions in this section, through the
10 use of any of the following methods:

11 1. Inside a pen or secure enclosure, if the following
12 conditions are met:

13 a. the pen or secure enclosure shall have adequate space
14 for exercise with a dimension of at least one hundred
15 (100) square feet; provided, however, that commercial
16 dog kennels with pens intended for the temporary
17 boarding of dogs shall be exempt from this
18 requirement,

19 b. the pen or secure enclosure is constructed with chain
20 link or other similar material as determined by the
21 building inspector, with all sides enclosed, and

22 c. the minimum height of the fence shall be adequate to
23 successfully confine the dog;

24

1 2. Inside a fully fenced, electronically fenced or otherwise
2 securely enclosed yard, wherein a dog has the ability to run but is
3 unable to leave the enclosed yard; or

4 3. With a trolley system or a tether attached to a pulley in a
5 cable run, if the following conditions are met:

- 6 a. only one dog shall be tethered to each cable run,
- 7 b. the tether shall be attached to a properly fitting
8 collar or harness worn by the dog, with enough room
9 between the collar and the dog's throat through which
10 two adult fingers may fit; provided, however, that use
11 of a choke collar and a pinch collar to tether a dog
12 to a cable run shall be prohibited,
- 13 c. there shall be a swivel on at least one end of the
14 tether to minimize tangling of the tether,
- 15 d. the tether and cable run must each be at least ten
16 (10) feet in length. The cable must be mounted at
17 least four (4) feet but not more than seven (7) feet
18 above ground level, and
- 19 e. the length of the tether from the cable run to the
20 dog's collar or harness shall allow continuous access
21 to clean water and appropriate shelter at all times as
22 described in subsection C of this section; provided,
23 however, that a trolley system or tether shall be of
24 appropriate configuration to confine the dog to the

1 owner's, guardian's or keeper's property, to prevent
2 the trolley system or tether from extending over an
3 object to an edge that could result in injury to or
4 strangulation of the dog and to prevent the trolley
5 system or tether from becoming tangled with other
6 object or animals.

7 C. A person owning or keeping a dog confined outside in
8 accordance with subsection B of this section shall provide the dog
9 with access to clean water and appropriate dog shelter. The dog
10 shelter shall allow the dog to remain dry and protected from the
11 elements and shall be fully enclosed on at least three sides, roofed
12 and have a solid floor. The entrance to the shelter shall be
13 flexible to allow the dog's entry and exit and sturdy enough to
14 block entry of weather elements. The shelter shall contain clean
15 bedding and shall be small enough to retain the dog's body heat and
16 large enough to allow the dog to stand, lie down and turn
17 comfortably. The enclosure shall be structurally sound and in good
18 repair. Suitable drainage shall be provided so that water, ice or
19 waste is not in or around the shelter.

20 D. A person shall not leave a dog outside when a weather
21 advisory, warning or watch is issued by a local, state or federal
22 authority or when outside environmental conditions including, but
23 not limited to, extreme heat, cold, wind, rain, snow or hail pose an
24 adverse risk to the health or safety of the dog based on the dog's

1 breed, age or physical condition, unless the tethering is for no
2 more than fifteen (15) minutes.

3 E. An exception to a restriction on outdoor confinement under
4 this section that is reasonably necessary for the safety of a dog
5 shall be made for a dog that is:

6 1. Present in a camping or recreational area pursuant to the
7 policy of the camping or recreational area; or

8 2. Actively engaged in conduct that is directly related to the
9 business of shepherding or herding cattle or other livestock or
10 engaged in conduct that is directly related to the business of
11 cultivating agricultural products.

12 F. No person owning or keeping a dog shall subject the dog to
13 cruel conditions or inhumane chaining or the tethering at any time.
14 For the purposes of this subsection, "cruel conditions" and
15 "inhumane chaining or tethering" shall include, but not be limited
16 to, the following conditions:

17 1. Filthy and dirty confinement conditions including, but not
18 limited to, exposure to excessive animal waste, garbage, dirty
19 water, noxious odors, dangerous objects that could injure or kill a
20 dog upon contact or other circumstances that could cause harm to a
21 dog's physical or emotional health;

22 2. Taunting, prodding, hitting, harassing, threatening or
23 otherwise harming a tethered or confined dog; and
24

1 3. Subjecting a dog to dangerous conditions, including attacks
2 by other animals.

3 G. A person who violates this section shall for a first offense
4 be issued a written warning or punished by a fine of not more than
5 Fifty Dollars (\$50.00), for a second offense be punished by a fine
6 of not more than Two Hundred Dollars (\$200.00) and for a third or
7 subsequent offense be punished by a fine of not more than Five
8 Hundred Dollars (\$500.00), and be subject to impoundment of the dog
9 in a local shelter at the owner's, keeper's or guardian's expense
10 pending compliance with this section, or loss of ownership of the
11 dog.

12 SECTION 2. This act shall become effective November 1, 2021.

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14 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY - CRIMINAL, dated
15 02/25/2021 - DO PASS, As Coauthored.

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