

Regular Session, 2010

HOUSE BILL NO. 219

BY REPRESENTATIVE ST. GERMAIN

CRIME: Creates the crime of illegally restraining a dog

1 AN ACT

2 To enact R.S. 14:102.24, relative to offenses affecting public sensibility; to create the crime
3 of unlawful restraint of a dog; to provide for definitions; to provide for exceptions;
4 to provide for applicability; to provide criminal penalties; and to provide for related
5 matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 14:102.24 is hereby enacted to read as follows:

8 §102.24. Unlawful restraint of a dog; definitions; penalties

9 A. As used in this Section:

10 (1) "Collar" means any collar constructed of nylon, leather, or similar
11 material, specifically designed to be used for a dog.

12 (2) "Owner" means a person who owns or has custody or control of a dog.

13 (3) "Properly fitted" means, with respect to a collar, a collar that measures
14 the circumference of a dog's neck plus at least one inch.

15 (4) "Restraint" means a chain, rope, tether, leash, cable, or other device that
16 attaches a dog to a stationary object or trolley system.

17 B. It shall be unlawful for an owner to leave a dog outside and unattended
18 by use of a tether, fasten, chain, tie, or restraint that meets any of the following
19 criteria:

20 (1) Causes injury to the dog.

21 (2) Is less than twelve feet in length.

1 (3) Is in an unsafe condition.

2 (4) Uses a collar that is pinch-type, prong-type, or choke-type or is not
3 properly fitted to the dog.

4 C. The provisions of this Section shall not apply to any of the following:

5 (1) Accepted veterinary practices.

6 (2) Activities carried on for scientific or medical research governed by
7 accepted standards.

8 (3) A dog restrained to a running line, pulley, or trolley system and is not
9 restrained to the running line, pulley, or trolley system by means of a pinch-type,
10 prong-type, choke-type, or improperly fitted collar.

11 (4) A dog restrained in compliance with the requirements of a camping or
12 recreational area as defined by a federal, state, or local authority or jurisdiction.

13 (5) A dog restrained for a reasonable period, not to exceed three hours in a
14 twenty-four-hour period, and no longer than is necessary for the owner to complete
15 a temporary task that requires the dog to be restrained.

16 (6) A dog restrained while the owner is engaged in, or actively training for,
17 an activity that is conducted pursuant to a valid license issued by this state if the
18 activity for which the license is issued is associated with the use or presence of a
19 dog.

20 (7) A dog restrained while the owner is engaged in conduct directly related
21 to the business of shepherding or herding cattle or livestock.

22 (8) A dog restrained while the owner is engaged in conduct directly related
23 to the business of cultivating agricultural products if the restraint is reasonably
24 necessary for the safety of the dog.

25 (9) A dog being restrained and walked with a hand-held leash regardless of
26 the type of collar being used.

27 D. Whoever violates the provisions of this Section shall be fined not more
28 than three hundred dollars.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

St. Germain

HB No. 219

Abstract: Creates the crime of unlawfully restraining a dog and provides for a maximum fine of \$300.

Proposed law provides that it shall be unlawful for an owner to leave a dog outside and unattended by use of a tether, fasten, chain, tie, or restraint that meets any of the following criteria:

- (1) Causes injury to the dog.
- (2) Is less than 12 feet in length.
- (3) Is in an unsafe condition.
- (4) Uses a collar that is pinch-type, prong-type, or choke-type or is not properly fitted to the dog.

Proposed law provides that it shall not apply to any of the following:

- (1) Accepted veterinary practices.
- (2) Activities carried on for scientific or medical research governed by accepted standards.
- (3) A dog restrained to a running line, pulley, or trolley system and is not restrained to the running line, pulley, or trolley system by means of a pinch-type, prong-type, choke-type, or improperly fitted collar.
- (4) A dog restrained in compliance with the requirements of a camping or recreational area as defined by a federal, state, or local authority or jurisdiction.
- (5) A dog restrained for a reasonable period, not to exceed three hours in a 24-hour period, and no longer than is necessary for the owner to complete a temporary task that requires the dog to be restrained.
- (6) A dog restrained while the owner is engaged in, or actively training for, an activity that is conducted pursuant to a valid license issued by this state if the activity for which the license is issued is associated with the use or presence of a dog.
- (7) A dog restrained while the owner is engaged in conduct directly related to the business of shepherding or herding cattle or livestock.
- (8) A dog restrained while the owner is engaged in conduct directly related to the business of cultivating agricultural products if the restraint is reasonably necessary for the safety of the dog.
- (9) A dog being restrained and walked with a hand-held leash regardless of the type of collar being used.

Proposed law provides a penalty of a fine of not more than \$300.

(Adds R.S. 14:102.24)