

Regular Session, 2010

HOUSE BILL NO. 219

BY REPRESENTATIVE ST. GERMAIN

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 to tie, tether, or restrain any animal in a manner that
18 is inhumane, cruel, or detrimental to its welfare.

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

20 (1) Accepted veterinary practices.

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

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

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

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

10 (6) A dog restrained while the owner is engaged in conduct directly related
11 to the business of shepherding or herding cattle or livestock.

12 (7) A dog restrained while the owner is engaged in conduct directly related
13 to the business of cultivating agricultural products if the restraint is reasonably
14 necessary for the safety of the dog.

15 (8) A dog being restrained and walked with a hand-held leash regardless of
16 the type of collar being used.

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

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____