

# House Bill 3222

Sponsored by Representative WITT

## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Expands offense of unlawful tethering to include tethering domestic animal for more than 15 minutes in certain weather conditions. Punishes by maximum fine of \$1,000.

## A BILL FOR AN ACT

Relating to unlawful tethering; creating new provisions; and amending ORS 167.343.

**Be It Enacted by the People of the State of Oregon:**

**SECTION 1.** ORS 167.343 is amended to read:

167.343. (1) A person commits the offense of unlawful tethering if the person tethers a domestic animal in the person's custody or control:

(a) With a tether that is not a reasonable length given the size of the domestic animal and available space and that allows the domestic animal to become entangled in a manner that risks the health or safety of the domestic animal;

(b) With a collar that pinches or chokes the domestic animal when pulled;

(c) For more than 10 hours in a 24-hour period; *[or]*

(d) For more than 15 hours in a 24-hour period if the tether is attached to a running line, pulley or trolley system[.]; **or**

**(e) For more than 15 minutes:**

**(A) During an active watch, warning or advisory issued by the National Weather Service concerning winter weather, cold weather or excessive heat; or**

**(B) While outdoor temperatures are below 32 degrees Fahrenheit.**

(2) A person does not violate this section if the person tethers a domestic animal:

(a) While the domestic animal remains in the physical presence of the person who owns, possesses, controls or otherwise has charge of the domestic animal;

(b) Pursuant to the requirements of a campground or other recreational area;

(c) For the purpose of engaging in an activity that requires licensure in this state, including but not limited to hunting;

(d) To allow the person to transport the domestic animal; or

(e) That is a dog kept for herding, protecting livestock or dogsledding.

(3) Unlawful tethering is a Class B violation.

**SECTION 2. The amendments to ORS 167.343 by section 1 of this 2017 Act apply to conduct occurring on or after the effective date of this 2017 Act.**

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.