

1 A bill to be entitled
 2 An act relating to tethering of domestic dogs and
 3 cats; creating s. 828.132, F.S.; providing a short
 4 title; defining the term "tether"; prohibiting certain
 5 tethering of domestic dogs and cats; providing
 6 applicability; providing penalties; providing for
 7 enforcement; providing construction; providing an
 8 effective date.

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 10 Be It Enacted by the Legislature of the State of Florida:

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 12 Section 1. Section 828.132, Florida Statutes, is created
 13 to read:

14 828.132 Tethering of domestic dogs and cats.—

15 (1) This section may be cited as the "Penny Bautista Act."

16 (2) As used in this section, the term "tether" means to
 17 tie a domestic dog or domestic cat to a stationary or inanimate
 18 object with a rope, chain, or other means to restrict, confine,
 19 or restrain its movement.

20 (3) (a) A person may not tether a domestic dog or domestic
 21 cat unless the person is physically present with and attending
 22 to the dog or cat and the dog or cat remains visible to the
 23 person at all times while tethered.

24 (b) A person may not tether a domestic dog or domestic cat
 25 outdoors during severe weather, including, but not limited to,

26 extreme heat or cold, thunderstorms, lightning, tornadoes,
27 tropical storms, or hurricanes.

28 (4) Paragraph (3) (a) does not apply to tethering a
29 domestic dog or domestic cat in a manner that does not
30 jeopardize its health, safety, or well-being when:

31 (a) Attending, or participating in, a legal, organized
32 public event in which the dog or cat and the person are
33 permitted attendees or participants;

34 (b) Actively engaging in conduct that is directly related
35 to the business of shepherding or herding cattle or livestock or
36 related to the business of cultivating agricultural products and
37 tethering is reasonably necessary for its safety;

38 (c) Being treated by a veterinarian or serviced by a
39 groomer;

40 (d) Being trained for or actively serving in a law
41 enforcement capacity;

42 (e) Being lawfully used to actively hunt a species of
43 wildlife in the state during the hunting season for that species
44 of wildlife;

45 (f) Being cared for as part of a rescue operation during a
46 natural or manmade disaster;

47 (g) Temporarily tethered by the staff of a public or
48 private animal shelter; a humane organization; an animal control
49 agency operated by a humane organization or a county; a
50 municipality or other incorporated political subdivision; or a

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51 licensed commercial boarding facility for a period of time no
52 longer than necessary to accomplish a task such as bathing,
53 medical care, or any other short-term valid purpose for its
54 safety or the safety of other animals or staff; or

55 (h) Tethered in accordance with the regulations of a
56 camping or recreational area.

57 (5) A person who tethers a domestic dog or domestic cat in
58 violation of this section commits a noncriminal violation as
59 defined in s. 775.08(3) and is subject to the following
60 penalties:

61 (a) For a first offense, a written warning.

62 (b) For a second offense, a fine of \$250.

63 (c) For a third or subsequent offense, a fine of \$500.

64 (6) This section shall be enforced pursuant to s. 828.073.

65 (7) This section does not limit the authority of any local
66 government to adopt or enforce an ordinance that is more
67 restrictive or that imposes greater penalties than this section.

68 Section 2. This act shall take effect July 1, 2022.