

By Senator Taddeo

40-00360A-22

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

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

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11 Section 1. This act may be cited as the "Penny Bautista
12 Act."

13 Section 2. Section 828.132, Florida Statutes, is created to
14 read:

15 828.132 Tethering of domestic dogs and cats.—

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

20 (2) (a) A person may not tether a domestic dog or a 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 a domestic
25 cat outdoors during severe weather, including, but not limited
26 to, extreme heat or cold, thunderstorms, lightning, tornadoes,
27 tropical storms, or hurricanes.

28 (3) Paragraph (2) (a) does not apply to tethering a domestic
29 dog or a domestic cat in a manner that does not jeopardize its

40-00360A-22

20221508__

30 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 authorized attendees or participants;

34 (b) Actively engaging in conduct directly related to the
35 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 the animal's 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 this state during the hunting season for that
44 species of wildlife;

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

47 (g) Temporarily tethered while being kept in a bona fide
48 humane shelter or at a licensed commercial boarding facility; or

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

51 (4) A person who tethers a domestic dog or a domestic cat
52 in violation of this section commits a noncriminal violation as
53 defined in s. 775.08(3) and is subject to the following
54 penalties:

55 (a) For a first offense, a written warning and notice to
56 comply within 30 calendar days.

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

58 (c) For a third and every subsequent offense, a fine of

40-00360A-22

20221508__

59 \$500.

60 (5) This section shall be enforced pursuant to s. 828.073.

61 Section 3. This act shall take effect July 1, 2022.