

1 SENATE HEALTH AND PUBLIC AFFAIRS COMMITTEE SUBSTITUTE FOR
2 SENATE BILL 429

3 **56TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2023**
4
5
6
7
8
9

10 AN ACT

11 RELATING TO ANIMAL CRUELTY; PROHIBITING DOG TETHERING;
12 PROVIDING PENALTIES FOR DOG TETHERING.
13

14 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

15 SECTION 1. [NEW MATERIAL] PROHIBITION OF DOG TETHERING--
16 EXCEPTIONS--PENALTY.--

17 A. As used in this section:

18 (1) "reasonable period" means a period of time
19 not to exceed three hours a day, or a time that is otherwise
20 approved by animal control; and

21 (2) "tether" means that a person ties a dog
22 with a rope, line or chain to a stationary object.

23 B. No person shall tether or chain a dog, or cause
24 a dog to be tethered or chained, for longer than three hours
25 within a twenty-four-hour period; provided that this subsection

.225978.1

underscoring material = new
~~[bracketed material] = delete~~

1 shall not apply to:

- 2 (1) accepted veterinary practices;
- 3 (2) activities carried out for scientific
4 research governed by standards of accepted educational or
5 medicinal practices;
- 6 (3) conduct that is directly related to the
7 business of shepherding or herding cattle or livestock;
- 8 (4) conduct that is directly related to the
9 business of cultivating agricultural products, if the tether is
10 reasonably necessary for the safety of the dog;
- 11 (5) conduct that is directly related to the
12 activity of legal dog sports; or
- 13 (6) legal public events such as picnics,
14 adoption fairs and group training classes.

15 C. A person who tethers a dog is guilty of a
16 misdemeanor and shall be sentenced pursuant to the provisions
17 of Section 31-19-1 NMSA 1978.