

**SB361 ENROLLED**



1 SB361  
2 U9NVSDD-2  
3 By Senator Gudger  
4 RFD: State Governmental Affairs  
5 First Read: 10-Mar-26



## SB361 Enrolled

1 Enrolled, An Act,

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3           Relating to dogs; to provide methods for  
4 tethering and confining dogs; to provide certain standards of  
5 care for dogs kept outside; to exempt certain persons and  
6 activities; to provide criminal penalties for violations; and  
7 to authorize agents of political subdivisions to inspect  
8 violations.

9 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

10           Section 1. For purposes of this act, the following  
11 terms have the following meanings:

12           (1) ADEQUATE FOOD. Food that is offered in suitable  
13 intervals and in sufficient amounts to prevent starvation or  
14 significant risk to a dog's health from lack of food.

15           (2) ADEQUATE WATER. Potable water that is offered in  
16 suitable intervals and in sufficient amounts to prevent  
17 dehydration or significant risk to a dog's health from lack of  
18 water.

19           (3) PROPERLY FITTED. When naturally worn by a dog, a  
20 collar or harness that:

21           a. Is appropriately sized for the dog based on the  
22 dog's measurements and body weight; and

23           b. Does not choke the dog or impede the dog's normal  
24 breathing or swallowing.

25           (4) TETHER. A chain, leash, cable, rope, trolley  
26 system, or other similar device used to tie or otherwise  
27 connect a dog to a stationary object, including a structure,  
28 doghouse, pole, or tree.



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29           Section 2. (a) (1) A person may not tether a dog to a  
30 stationary object, including a tree, pole, stake, or  
31 structure, unless the dog is tethered via a trolley system in  
32 accordance with all of the following:

33           a. The tether is not unreasonably heavy in relation to  
34 the weight of the dog.

35           b. The tether does not allow the dog to leave the  
36 property of the owner or person responsible for the dog.

37           c. The tether is connected to only one dog.

38           d. The tether is attached to a properly fitted collar  
39 or harness worn by the dog.

40           e. The tether has a swivel on both ends to minimize  
41 tangling.

42           f. The tether allows the dog continuous access at all  
43 times to adequate food, adequate water, and shelter as  
44 described in Section 3.

45           g. The tether does not extend over an object or edge  
46 that could result in injury or strangulation of the dog.

47           h. The tether is situated in a manner to prevent  
48 entanglement with other objects or animals.

49           (2) A logging chain, choke collar, or pinch collar may  
50 not be used to tether a dog.

51           (b) A person may not restrain or restrict a dog's  
52 movement by confining the dog within an enclosure unless in  
53 accordance with all of the following:

54           (1) The enclosure is secure, fully fenced, and has  
55 adequate space for the dog to freely move around.

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57           (2) The dog has continuous access at all times to  
58 adequate food, adequate water, and shelter as described in  
59 Section 3.

60           (3) The enclosure does not allow the dog to leave the  
61 property of the owner or person responsible for the dog.

62           (c) Subsections (a) and (b) do not apply to any of the  
63 following:

64           (1) A licensed veterinary practice that tethers or  
65 confines a dog in the course of its practice.

66           (2) A boarding kennel or public or private animal  
67 shelter with secure enclosures for the temporary boarding or  
68 housing of dogs.

69           (3) An exhibition, trial, show, contest, or other  
70 temporary event in which skill, breeding, or stamina of a dog  
71 is judged or examined.

72           (4) A dog that is used for obedience purposes or  
73 receives training in a lawful manner to hunt or retrieve  
74 wildlife.

75           (5) A service or assistance dog.

76           (6) A licensed grooming shop or facility during the  
77 grooming of a dog.

78           (7) Any temporary circumstance during which tethering  
79 or confining a dog is necessary but not exceeding a reasonable  
80 amount of time with respect to the weather.

81           (8) An individual walking a dog on a leash.

82           (9) A commercial dog breeder licensed by the United  
83 States Department of Agriculture as a Class A dealer pursuant  
84 to the Animal Welfare Act, 7 U.S.C. § 2131 et seq.



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85           Section 3. In addition to any other requirement by law,  
86 a person leaving or keeping a dog tethered or confined outside  
87 shall provide the dog with access to shelter that complies  
88 with all of the following:

89           (1) Allows the dog to remain dry and protected from the  
90 elements and inclement weather, including providing shade for  
91 the dog and containing bedding for cold weather when  
92 necessary.

93           (2) Is fully-enclosed with an adequate opening for  
94 ingress and egress and has a solid floor.

95           (3) Has space for the dog to stand up, turn around, lie  
96 down in a normal position, and extend its limbs.

97           (4) Is constructed or manufactured of durable materials  
98 and provides adequate ventilation.

99           (5) Is free from accumulated waste, standing water, and  
100 debris.

101           (6) Allows the dog unlimited access to the shelter.

102           Section 4. This act does not apply to any of the  
103 following:

104           (1) A dog whose purpose is or that is receiving  
105 training in conduct that is directly related to the business  
106 of shepherding or herding livestock, cultivating agricultural  
107 products, hunting, or retrieving.

108           (2) An individual tethering or confining a dog near a  
109 place of business while the individual is inside or otherwise  
110 interacting with the business, so long as:

111           a. The dog is tethered or confined for a reasonable  
112 amount of time with respect to the weather; and



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113           b. The dog is tethered or confined in a reasonable  
114 location near the place of business.

115           (3) The temporary tethering or confining of a dog at  
116 any campsite, recreation area, or home so long as the dog is  
117 tethered or confined for a reasonable amount of time with  
118 respect to the weather.

119           Section 5. (a) The governing body of a county or  
120 municipality may appoint one or more animal control officers  
121 to investigate alleged violations of this act. An  
122 investigating officer shall not be required to be a certified  
123 law enforcement officer.

124           (b) Upon having probable cause that a violation of this  
125 act has occurred, a certified law enforcement officer,  
126 including those serving as animal control officers, may do  
127 either of the following:

128           (1) Remove a dog from its present location if he or she  
129 believes the animal's life is in danger.

130           (2) Order the owner to provide care to the dog at the  
131 owner's expense to comply with this act.

132           (c) The removal of a dog or the issuance of an order to  
133 provide care to a dog shall be subject to the hearing and  
134 disposition requirements and procedures provided in Sections  
135 13A-11-244 and 13A-11-245, Code of Alabama 1975.

136           (d) A county, municipality, animal control officer, or  
137 certified law enforcement officer, acting in good faith, may  
138 not be liable for any actions taken pursuant to this act,  
139 regardless of whether a dog that is removed is returned to its  
140 owner.



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141 (e) Nothing in this act shall prevent or limit a law  
142 enforcement officer from seeking a warrant to enter private  
143 property to enforce this act.

144 (f) A property owner, animal owner, or person  
145 responsible for a dog shall not be liable for any injury to a  
146 certified law enforcement officer or animal control officer  
147 that occurs while the officer is attempting to seize, remove,  
148 or take custody of a dog pursuant to this act, provided the  
149 property owner, animal owner, or person responsible for the  
150 dog has not intentionally caused the injury.

151 Section 6. A person who violates this act shall pay the  
152 full costs of boarding and providing veterinarian care to the  
153 dog and be guilty of a Class C misdemeanor for a first  
154 violation, a Class B misdemeanor for a second violation, and a  
155 Class A misdemeanor for a third and any subsequent violation.

156 Section 7. Nothing in this act shall be construed to  
157 limit the authority of any law enforcement officer or animal  
158 control officer to enforce applicable animal cruelty or  
159 neglect laws.

160 Section 8. This act shall become effective on October  
161 1, 2026.



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President and Presiding Officer of the Senate

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Speaker of the House of Representatives

SB361

Senate 12-Mar-26

I hereby certify that the within Act originated in and passed the Senate.

Patrick Harris,  
Secretary.

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House of Representatives  
Amended and passed: 08-Apr-26

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Senate concurred in House amendment 08-Apr-26

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By: Senator Gudger