

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2025

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HOUSE PRINCIPAL CLERK

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HOUSE BILL DRH30292-MH-1

Short Title: Duke's Rescue Act.

(Public)

Sponsors: Representative Ross.

Referred to:

A BILL TO BE ENTITLED
AN ACT TO PROVIDE MINIMAL STANDARDS OF CARE FOR COMPANION ANIMALS.
The General Assembly of North Carolina enacts:

SECTION 1. Article 47 of Chapter 14 of the General Statutes is amended by adding a new section to read:

"§ 14-360.5. Care of companion animals.

(a) Minimum Standards. – Except as set forth in subsection (b) of this section, any person who owns a companion animal shall provide all of the following:

- (1) Adequate care.
- (2) Adequate exercise.
- (3) Adequate feed.
- (4) Adequate shelter.
- (5) Adequate space.
- (6) Adequate water.
- (7) Appropriate veterinary treatment, including emergency veterinary treatment.

(b) Exception. – The requirements of this section pertaining to adequate shelter and adequate space shall not apply to any of the following:

- (1) The use of a dog in a lawful hunt.
- (2) The use of a restraint on a dog while the owner and dog engage in conduct directly related to the business of shepherding or herding cattle or livestock.
- (3) The use of a restraint on a dog while the owner and dog engage in conduct directly related to the business of cultivating agricultural products.
- (4) The use of a restraint on a dog pursuant to the requirements of a camping or recreational area.

(c) Definitions. – The following definitions apply in this section:

- (1) Adequate care. – The responsible practice of good animal husbandry, handling, confinement, feeding, watering, protection, shelter, transportation, treatment, and, when necessary, euthanasia, appropriate for the age, species, condition, size, and type of the animal and the provision of veterinary care when needed to prevent suffering or impairment of health.
- (2) Adequate exercise. – The opportunity for the animal to move sufficiently to maintain normal muscle tone and mass for the age, species, size, and condition of the animal.
- (3) Adequate feed. – The provision of food meeting all of the following requirements:



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- a. It is of sufficient quantity and nutritive value to maintain the animal in good health.
 - b. It is accessible to the animal.
 - c. It is prepared so as to permit ease of consumption for the animal's age, species, condition, size, and type.
 - d. It is provided in a clean and sanitary manner to minimize contamination by excrement and pests.
 - e. It is provided at suitable intervals for the species, age, and condition of the animal, but at least once daily, except as otherwise prescribed by a veterinarian.
- (4) Adequate shelter. – Shelter that meets all of the conditions of this subdivision. Adequate shelter does not include the outdoor tethering of an animal during any period of extreme weather at the site where the animal is tethered.
- a. The shelter is suitable for the species, age, condition, size, and type of each animal.
 - b. The shelter protects each animal from injury, rain, sleet, snow, hail, direct sunlight, the adverse effects of heat or cold, physical suffering, and impairment of health.
 - c. The shelter is properly lighted and cleaned and enables each animal to remain clean and dry, except when detrimental to the species. For purposes of this subdivision, shelter is properly cleaned when (i) carcasses, debris, food waste, and excrement are removed from the primary enclosure with sufficient frequency to minimize the animals' contact with those contaminants; (ii) the primary enclosure is sanitized with sufficient frequency to minimize odors and the hazards of disease; and (iii) the primary enclosure is cleaned so as to prevent the animals confined therein from being directly or indirectly sprayed with the stream of water or directly or indirectly exposed to hazardous chemicals or disinfectants.
 - d. The shelter is properly shaded and does not readily conduct heat during periods when the ambient air temperature at the shelter is greater than 85 degrees Fahrenheit.
 - e. The shelter provides a windbreak at its entrance and, during periods when the ambient air temperature at the shelter is less than 32 degrees Fahrenheit, bedding material consisting of straw, cedar shavings, or the equivalent sufficient to protect the animal from cold and promote the retention of body heat.
 - f. For dogs and cats, the shelter provides a solid surface, resting platform, pad, floormat, or similar device that is large enough for the animal to lie on in a normal manner and can be maintained in a sanitary manner.
 - g. The shelter's wire, grid, or slat floors (i) do not permit the animals' feet to pass through the openings, (ii) do not sag under the animals' weight, and (iii) protect the animals' feet and toes from injury.
- (5) Adequate space. – Sufficient space to allow each animal to (i) easily stand, sit, lie, turn about, and make all other normal body movements in a comfortable, normal position for the animal and (ii) interact safely with other animals in the enclosure. Adequate space for an animal that is tethered also includes all of the following:
- a. The tether to which the animal is attached permits freedom of movement and is appropriate to the age and size of the animal; is attached to the animal by a properly applied collar, halter, or harness

- 1 configured so as to protect the animal from injury and prevent the
2 animal or tether from becoming entangled with other objects or
3 animals or from extending over an object or edge that could result in
4 the strangulation or injury of the animal.
- 5 b. The tether is at least 15 feet in length or four times the length of the
6 animal, as measured from the tip of its nose to the base of its tail,
7 whichever is greater, except when the animal is being walked on a
8 leash or is attached by a tether to a lead line; does not, by its material,
9 size, or weight or any other characteristic, cause injury or pain to the
10 animal.
- 11 c. The tether does not weigh more than one-tenth of the animal's body
12 weight and does not have weights or other heavy objects attached to
13 it.
- 14 d. Tethering does not include the walking of an animal on a leash.
- 15 (6) Adequate water. – The provision of access to clean, fresh, potable water of a
16 drinkable temperature that meets the following requirements:
- 17 a. The water is provided in a suitable manner, in sufficient volume, and
18 at suitable intervals appropriate for the weather and temperature to
19 maintain normal hydration for the age, species, condition, size, and
20 type of each animal, except as prescribed by a veterinarian or as
21 dictated by naturally occurring states of hibernation or fasting normal
22 for the species.
- 23 b. The water is provided in clean, durable receptacles that are accessible
24 to each animal and are placed so as to minimize contamination of the
25 water by excrement and pests or an alternative source of hydration
26 consistent with generally accepted husbandry practices.
- 27 (7) Companion animal. – Any domestic dog or domestic cat. The term does not
28 include animals being raised for human consumption, whether for their meat,
29 milk, or eggs.
- 30 (8) Emergency veterinary treatment. – Veterinary treatment to stabilize a
31 life-threatening condition, alleviate suffering, prevent further disease
32 transmission, or prevent further disease progression.
- 33 (9) Extreme weather. – Any of the following:
- 34 a. The effective period of a hurricane warning or tropical storm warning
35 issued for the area by the National Weather Service.
- 36 b. The effective period for a heat advisory issued by a local or State
37 authority.
- 38 c. Any period when the actual or effective outdoor temperature is (i) at
39 or in excess of 85 degrees Fahrenheit or (ii) at or below 32 degrees
40 Fahrenheit.
- 41 d. The effective period for a severe weather warning issued for the area
42 by the National Weather Service, including a hurricane, tropical storm,
43 winter storm, tornado, or severe thunderstorm warning.
- 44 (10) Owner, or to own. – With respect to companion animals, includes any person
45 who (i) has a right of property in an animal, (ii) keeps or harbors an animal,
46 (iii) has an animal in his or her care, or (iv) acts as a custodian of an animal.
- 47 (11) Tethering. – To restrain a companion animal by tying the animal to any object
48 or structure, including a house, tree, fence, post, garage, or shed, by any
49 means, including, without limitation, a chain, rope, cord, leash, or running
50 line. Tethering shall not include the use of a leash to walk a companion animal.

(12) Veterinary treatment. – Treatment of a companion animal by or on the order of a duly licensed veterinarian.

(d) Violation. – A violation of this section is punishable as follows:

(1) For a first offense under this section, the person is guilty of a Class 3 misdemeanor.

(2) For a second or subsequent offense under this section, the person is guilty of a Class 2 misdemeanor."

SECTION 2. Any local ordinances regulating the standard of care for companion animals that were adopted prior to the date this act becomes law may remain in effect after this act becomes law. The governing body of a county or city may adopt ordinances regulating the standard of care for companion animals after the date this act becomes law if the ordinances meet or exceed the requirements of G.S. 14-360.5, as enacted in Section 1 of this act.

SECTION 3. This act becomes effective December 1, 2025, and applies to offenses committed on or after that date.