

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 667 Session of 2009

INTRODUCED BY LOGAN, TARTAGLIONE, FONTANA, COSTA, ALLOWAY,  
KASUNIC, WONDERLING, BOSCOLA AND FERLO, MARCH 20, 2009

REFERRED TO AGRICULTURE AND RURAL AFFAIRS, MARCH 20, 2009

AN ACT

1 Amending the act of December 7, 1982 (P.L.784, No.225),  
2 entitled, as amended, "An act relating to dogs, regulating  
3 the keeping of dogs; providing for the licensing of dogs and  
4 kennels; providing for the protection of dogs and the  
5 detention and destruction of dogs in certain cases;  
6 regulating the sale and transportation of dogs; declaring  
7 dogs to be personal property and the subject of theft;  
8 providing for the abandonment of animals; providing for the  
9 assessment of damages done to animals; providing for payment  
10 of damages by the Commonwealth in certain cases and the  
11 liability of the owner or keeper of dogs for such damages;  
12 imposing powers and duties on certain State and local  
13 officers and employees; providing penalties; and creating a  
14 Dog Law Restricted Account," further providing for  
15 registration of dangerous dogs; and prescribing penalties.

16 The General Assembly of the Commonwealth of Pennsylvania  
17 hereby enacts as follows:

18 Section 1. Section 502-A(d) of the act of December 7, 1982  
19 (P.L.784, No.225), known as the Dog Law, amended October 9, 2008  
20 (P.L.1450, No.119), is amended to read:

21 Section 502-A. Registration.

22 \* \* \*

23 (d) Disposition of dog during court proceedings.--

24 (1) (i) An owner or keeper of any dog who has been

1 charged with harboring a dangerous dog shall keep the dog  
2 or dogs confined in a proper enclosure or, when off the  
3 property of the owner or keeper for purposes of  
4 veterinary care, muzzled and on a substantial chain or  
5 leash and under physical restraint of a responsible  
6 person until the time a report is made under subsection  
7 (b).

8 (ii) The muzzle shall be made in a manner that will  
9 not cause injury to the dog or interfere with its vision  
10 or respiration, but shall prevent it from biting any  
11 person or animal or from destroying property with its  
12 teeth.

13 (2) If an appeal of a decision under subsection (b) is  
14 filed, the dog or dogs shall remain so confined and  
15 restrained in accordance with paragraph (1) until the  
16 proceedings are completed.

17 (3) (i) It shall be unlawful for an owner or keeper of  
18 a dog who has been charged with harboring a dangerous dog  
19 to dispense, move, sell, offer to sell, give away or  
20 transfer the dog in any manner except to have it humanely  
21 killed or move the dog to a licensed kennel if approved  
22 by the investigating officer.

23 (ii) A violation of this [subsection] paragraph  
24 shall constitute a summary offense accompanied by a fine  
25 of not less than [\$500] \$800.

26 (4) Notwithstanding any provision of law to the  
27 contrary:

28 (i) (A) A first violation of paragraph (1) or (2)  
29 shall constitute a misdemeanor of the third degree.

30 (B) A second violation or subsequent violation

1           of paragraph (1) or (2) shall constitute a  
2           misdemeanor of the second degree.

3           (ii) A violation of paragraph (1) or (2) that  
4           results in an attack of a person, or the attack, injury  
5           or death of a domestic animal, by the dog or dogs that  
6           are the subject of the charge through the intentional,  
7           reckless or negligent conduct of the owner or keeper of  
8           the dog or dogs, shall constitute a misdemeanor of the  
9           second degree. In addition, the dog or dogs shall be  
10           immediately confiscated and placed in quarantine pending  
11           the determination of the charge and any appeal. Following  
12           the determination of the charge and any subsequent  
13           appeal, the humane destruction of the dog or dogs may be  
14           ordered with the costs of the quarantine and destruction  
15           to be borne by the owner of the dog or dogs.

16           (iii) A violation of paragraph (1) or (2) that  
17           results in an aggressive attack by the dog or dogs that  
18           are the subject of a charge of harboring a dangerous dog  
19           and the death or severe injury of a person or persons by  
20           the dog or dogs through the intentional, reckless or  
21           negligent conduct of the owner or keeper of the dog or  
22           dogs shall constitute a misdemeanor of the first degree.  
23           In addition, the dog or dogs shall be immediately  
24           confiscated and placed in quarantine pending the  
25           determination of the charge and any appeal. Following the  
26           determination of the charge and any subsequent appeal,  
27           the humane destruction of the dog or dogs may be ordered  
28           with the costs of the quarantine and destruction to be  
29           borne by the owner of the dog or dogs.

30           (iv) Where the owner of a dog or dogs that are the

1 subject of a charge of harboring a dangerous dog is a  
2 minor, the parent or guardian of the minor shall be  
3 liable for injuries, and property damages caused by an  
4 unprovoked attack by the dog or dogs under 23 Pa.C.S. Ch.  
5 55 (relating to liability for tortious acts of children).

6 Section 2. This act shall take effect in 60 days.