

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2558 Session of
2006

INTRODUCED BY CASORIO, DeWEESE, BELFANTI, CALTAGIRONE, BAKER,
BOYD, CAPPELLI, CRAHALLA, FABRIZIO, GOODMAN, GRUCELA,
KIRKLAND, KOTIK, LEACH, LEDERER, MAHER, PALLONE, PAYNE,
PHILLIPS, PISTELLA, RAYMOND, READSHAW, SATHER, SIPTROTH,
TANGRETTI AND YOUNGBLOOD, APRIL 3, 2006

REFERRED TO COMMITTEE ON LOCAL GOVERNMENT, APRIL 3, 2006

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 seizure
15 and detention of dogs, costs and destruction of dogs.

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

18 Section 1. Section 302 of the act of December 7, 1982
19 (P.L.784, No.225), known as the Dog Law, amended December 11,
20 1996 (P.L.943, No.151), is amended to read:

21 Section 302. Seizure and detention of dogs; costs; destruction
22 of dogs.

23 (a) General rule.--It shall be the duty of every police

1 officer, State dog warden, employee of the department or animal
2 control officer to seize and detain any dog which is found
3 running at large, either upon the public streets or highways of
4 the Commonwealth, or upon the property of a person other than
5 the owner of such dog, and unaccompanied by the owner or keeper.
6 Every police officer, State dog warden, employee of the
7 department or animal control officer may humanely kill any dog
8 which is found running at large and is deemed after due
9 consideration by the police officer, State dog warden, employee
10 of the department or animal control officer to constitute a
11 threat to the public health and welfare.

12 (b) Licensed dogs.--The State dog warden or employee of the
13 department, the animal control officer, or the chief of police
14 or his agents of any city, borough, town or township, the
15 constable of any borough and the constable of any incorporated
16 town or township shall cause any dog bearing a proper license
17 tag or permanent identification and so seized and detained to be
18 properly kept and fed at any licensed kennel approved by the
19 secretary for such purposes and shall cause immediate notice, by
20 registered or certified mail with return receipt requested, to
21 the person in whose name the license was procured, or his agent,
22 to claim such dog within five days after receipt thereof. The
23 owner or claimant of a dog so detained shall pay a penalty of
24 \$15 to the political subdivision whose police officers make such
25 seizures and detention and all reasonable expenses incurred by
26 reason of its detention to the detaining parties before the dog
27 is returned. If five days after obtaining the postal return
28 receipt, such dog has not been claimed, such chief of police, or
29 his agent, or a constable, or State dog warden or employee of
30 the department shall dispense such dog by sale or by giving it

1 to a humane society or association for the prevention of cruelty
2 to animals. No dog so caught and detained shall be sold for the
3 purpose of vivisection, or research, or be conveyed in any
4 manner for these purposes. All moneys derived from the sale of
5 such dog, after deducting the expenses of its detention, shall
6 be paid through the Department of Agriculture to the State
7 Treasurer for credit to the Dog Law Restricted Account.

8 (c) Unlicensed dogs.--Except as otherwise provided by
9 section 305, any police officer, State dog warden, employee of
10 the department or animal control officer shall cause any
11 unlicensed dog to be seized, detained, kept and fed for a period
12 of [48 hours] seven days at any licensed kennel approved by the
13 secretary for such purposes, except any dog seriously ill or
14 injured or forfeited with the owner's permission. Any person may
15 view such detained dogs during normal business hours. Any
16 unlicensed dog remaining unclaimed after [48 hours] seven days
17 may be humanely killed or given to a humane society or
18 association for the prevention of cruelty to animals. No dog so
19 caught and detained shall be sold for the purpose of
20 vivisection, or research, or be conveyed in any manner for these
21 purposes.

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