

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 613 Session of  
2003

INTRODUCED BY GREENLEAF, PUNT, O'PAKE, LEMMOND, SCHWARTZ, COSTA  
AND TARTAGLIONE, APRIL 21, 2003

REFERRED TO AGRICULTURE AND RURAL AFFAIRS, APRIL 21, 2003

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 harboring  
15 dangerous dogs.

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

18 Section 1. Sections 502-A(a) and 505-A(b) of the act of  
19 December 7, 1982 (P.L.784, No.225), known as the Dog Law,  
20 amended December 11, 1996 (P.L.943, No.151), are amended to  
21 read:

22 Section 502-A. Registration.

23 (a) Summary offense of harboring a dangerous dog.--Any  
24 person who has been attacked by one or more dogs, or anyone on

1 behalf of such person, a person whose domestic animal, dog or  
2 cat has been killed or injured without provocation, the State  
3 dog warden or the local police officer may file a complaint  
4 before a district justice, charging the owner or keeper of such  
5 a dog with harboring a dangerous dog. The owner or keeper of the  
6 dog shall be guilty of the summary offense of harboring a  
7 dangerous dog if the district justice finds beyond a reasonable  
8 doubt that the following elements of the offense have been  
9 proven:

10 (1) The dog has done one or more of the following:

11 (i) Inflicted severe injury on a human being without  
12 provocation on public or private property.

13 (ii) Killed or inflicted severe injury on a domestic  
14 animal, dog or cat without provocation while off the  
15 owner's property.

16 (iii) Attacked a human being without provocation.

17 (iv) Been used in the commission of a crime.

18 (2) The dog has either or both of the following:

19 (i) A history of attacking human beings and/or  
20 domestic animals, dogs or cats without provocation.

21 (ii) A propensity to attack human beings and/or  
22 domestic animals, dogs or cats without provocation. A  
23 propensity to attack may be proven by a single incident  
24 of the conduct described in paragraph (1)(i), (ii), (iii)  
25 or (iv).

26 (3) The defendant is the owner or keeper of the dog.

27 \* \* \*

28 Section 505-A. Public safety and penalties.

29 \* \* \*

30 (b) Attacks by dangerous dog.--If a dangerous dog, through

1 the intentional, reckless or negligent conduct of the dog's  
2 owner, attacks a person or a domestic animal, dog or cat, the  
3 dog's owner is guilty of a misdemeanor of the second degree. In  
4 addition, the dangerous dog shall be immediately confiscated,  
5 placed in quarantine for the proper length of time and  
6 thereafter humanely killed in an expeditious manner, with costs  
7 of quarantine and destruction to be borne by the dog's owner.

8 \* \* \*

9 Section 2. Section 507-A(f)(1) of the act, added May 31,  
10 1990 (P.L.213, No.46), is amended to read:

11 Section 507-A. Construction of article.

12 \* \* \*

13 (f) Procedure in certain cities.--In cities of the first  
14 class, second class and second class A, the following procedure  
15 shall apply:

16 (1) A person who has been attacked by a dog, or anyone  
17 on behalf of such person, or a person whose domestic animal,  
18 dog or cat has been killed or injured without provocation  
19 while the attacking dog was off the owner's property or a  
20 police officer or an animal control officer employed by or  
21 under contract with the city may make a complaint before a  
22 district justice, charging the owner or keeper of such a dog  
23 with harboring a dangerous dog. The district justice shall  
24 make a report of the determination under section 502-A(a) to  
25 the police or an animal control officer employed by or under  
26 contract with the city and to the Bureau of Dog Law  
27 Enforcement. The Bureau of Dog Law Enforcement shall give  
28 notice of this determination to the respective city  
29 treasurer.

30 \* \* \*

1       Section 3.   This act shall take effect in 60 days.