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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 2008 Session of  
2021

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INTRODUCED BY SHUSTERMAN, LAWRENCE, ROTHMAN, KINSEY, BENHAM,  
M. MACKENZIE AND KIM, OCTOBER 25, 2021

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REFERRED TO COMMITTEE ON AGRICULTURE AND RURAL AFFAIRS,  
OCTOBER 25, 2021

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AN ACT

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

19 The General Assembly of the Commonwealth of Pennsylvania  
20 hereby enacts as follows:

21 Section 1. Section 102 of the act of December 7, 1982  
22 (P.L.784, No.225), known as the Dog Law, is amended by adding a  
23 definition to read:

24 Section 102. Definitions.

25 The following words and phrases when used in this act shall

1 have, unless the context clearly indicates otherwise, the  
2 meanings given to them in this section:

3 \* \* \*

4 "Unprovoked." Action by a dog that includes biting,  
5 attacking or forcibly coming into unwanted physical contact with  
6 a person who or domestic animal that is acting peaceably and  
7 lawfully.

8 \* \* \*

9 Section 2. Section 502-A(a), (a.1) and (b) of the act are  
10 amended and the section is amended by adding subsections to  
11 read:

12 Section 502-A. Court proceedings, certificate of registration  
13 and disposition.

14 [(a) Summary offense of harboring a dangerous dog.--Any  
15 person who has been attacked by one or more dogs, or anyone on  
16 behalf of the person, a person whose domestic animal, dog or cat  
17 has been killed or injured without provocation, the State dog  
18 warden or the local police officer may file a complaint before a  
19 magisterial district judge, charging the owner or keeper of the  
20 a dog with harboring a dangerous dog. The owner or keeper of the  
21 dog shall be guilty of the summary offense of harboring a  
22 dangerous dog if the magisterial district judge finds beyond a  
23 reasonable doubt that the following elements of the offense have  
24 been proven:

25 (1) The dog has done any of the following:

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

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

1 (iii) Attacked a human being without provocation.

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

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

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

6 (ii) A propensity to attack human beings and/or  
7 domestic animals, dogs or cats without provocation. A  
8 propensity to attack may be proven by a single incident  
9 of the conduct described in paragraph (1) (i), (ii), (iii)  
10 or (iv).

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

12 (a.1) Effect of conviction.--A finding by a magisterial  
13 district judge that a person is guilty under subsection (a) of  
14 harboring a dangerous dog shall constitute a determination that  
15 the dog is a dangerous dog for purposes of this act.]

16 (a.2) Summary offense of harboring a dangerous dog.--

17 (1) Any person who has been attacked by one or more  
18 dogs, including the person's legal guardian or personal  
19 representative, a person whose domestic animal, dog or cat  
20 has been killed or injured by an unprovoked attack, the State  
21 dog warden or the local police officer may file a complaint  
22 before a magisterial district judge, charging the owner or  
23 keeper of the dog with harboring a dangerous dog.

24 (2) The owner or keeper of the dog shall be guilty of  
25 the summary offense of harboring a dangerous dog if the  
26 magisterial district judge finds beyond a reasonable doubt  
27 that the dog has done any of the following:

28 (i) Inflicted severe injury on a human being  
29 unprovoked on public or private property.

30 (ii) Killed or inflicted severe injury on a domestic

1 animal, dog or cat unprovoked while off the owner's  
2 property or has a propensity or history of attacks if the  
3 dog kills or inflicts severe injury on a domestic animal  
4 while on the owner's property unprovoked. A propensity to  
5 kill or inflict severe injury may be proven by a single  
6 incident.

7 (iii) Attacked a human being unprovoked and has a  
8 history or propensity of attacking human beings or  
9 domestic animals, dogs or cats unprovoked. A propensity  
10 to attack may be proven by a single incident.

11 (3) For the purposes of this subsection, the term  
12 "owner" or "keeper of the dog" shall not include a  
13 veterinarian licensed by the Commonwealth or a veterinary  
14 technician certified by the Commonwealth while acting in the  
15 scope of the duties or employment of a veterinarian or  
16 veterinary technician, respectively.

17 (a.3) Effect of conviction.--A finding by a magisterial  
18 district judge that a person is guilty under subsection (a.2) of  
19 harboring a dangerous dog shall constitute a determination that  
20 the dog is a dangerous dog for purposes of this act.

21 (b) Report of conviction.--The magisterial district judge  
22 shall make a report of a conviction under subsection [(a)] (a.2)  
23 to the Bureau of Dog Law Enforcement, identifying the convicted  
24 party, identifying and describing the dog or dogs and providing  
25 other information as the bureau might reasonably require.

26 \* \* \*

27 Section 3. Sections 503-A(b) and 507-A(f)(1) of the act are  
28 amended to read:

29 Section 503-A. Requirements.

30 \* \* \*

1 (b) Registration fee.--The registration fee for a dangerous  
2 dog certificate shall be [~~\$500~~] \$1,000 per calendar year for the  
3 life of the dog plus an additional amount set by the department  
4 as may be necessary to cover the costs of issuing this  
5 registration and enforcing this section. This registration fee  
6 shall be in addition to any other fees collectable under this  
7 act and shall be credited to the Dog Law Restricted Account for  
8 the purpose of administering and enforcing this act.

9 \* \* \*

10 Section 507-A. Construction of article.

11 \* \* \*

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

15 (1) A person who has been attacked by a dog, or anyone  
16 on behalf of such person, or a person whose domestic animal,  
17 dog or cat has been killed or injured without provocation  
18 while the attacking dog was off the owner's property or a  
19 police officer or an animal control officer employed by or  
20 under contract with the city may make a complaint before a  
21 magisterial district judge, charging the owner or keeper of  
22 such a dog with harboring a dangerous dog. The magisterial  
23 district judge shall make a report of the determination under  
24 section [~~502-A(a)~~] 502-A(a.2) to the police or an animal  
25 control officer employed by or under contract with the city  
26 and to the Bureau of Dog Law Enforcement. The Bureau of Dog  
27 Law Enforcement shall give notice of this determination to  
28 the respective city treasurer.

29 \* \* \*

30 Section 4. This act shall take effect in 60 days.