

SENATE APPROPRIATIONS COMMITTEE FISCAL NOTE

BILL NO. Senate Bill 746

PRINTER NO. 835

AMOUNT

See Fiscal Impact

FUND

Dog Law Restricted Account
Judicial Augmentation Account

DATE INTRODUCED

May 31, 2023

PRIME SPONSOR

Senator Vogel

DESCRIPTION

Senate Bill 746 makes several changes to the Dog Law (Act 225 of 1982) with regard to dog and kennel licensing, dog and kennel license fees, advertising the sale of dogs, health certificates, licensure for individuals convicted of cruelty to animals, dangerous dogs and criminal and civil penalties for violating provisions of the act.

The legislation requires the Secretary of Agriculture (secretary) to establish and operate a statewide dog licensing internet website capable of selling dog licenses online in each county that has not implemented online dog licensing. It also authorizes the secretary to utilize a vendor to operate and maintain the website.

The legislation requires dogs to be licensed at three months of age or at the point of transfer to a new owner, whichever comes first. Currently, dogs must be licensed at three months of age. It requires a retail seller of dogs to provide Pennsylvania residents purchasing a dog with a dog license application and department-issued letter regarding dog licensing. It also requires a dog owner or person keeping a dog to provide proof of licensure to a police officer, state dog warden, Department of Agriculture (department) official or municipal animal control officer within 10 days of requesting proof of licensure.

The legislation increases dog license fees. The following chart displays a comparison of the dog license fees proposed in Senate Bill 746 to current law.

Fee	Annual Dog License Fees			
	Altered	Unaltered	Senior/ Disability	Senior/ Disability
			Altered	Unaltered
Current	\$ 5.00	\$ 7.00	\$ 3.00	\$ 5.00
Proposed	\$ 7.00	\$ 7.00	\$ 5.00	\$ 5.00

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Fee	Lifetime Dog License Fees			
	Altered	Unaltered	Senior/ Disability	Senior/ Disability
			Altered	Unaltered
Current	\$ 30.00	\$ 50.00	\$ 20.00	\$ 30.00
Proposed	\$ 49.00	\$ 49.00	\$ 33.00	\$ 33.00

The legislation also authorizes the secretary to increase annual dog license fees by no more than \$2 effective December 1, 2025, and by no more than \$1 effective December 1, 2027. It also requires the secretary to transmit a notice of the fee increase to the Legislative Reference Bureau for publication in the Pennsylvania Bulletin.

The legislation increases kennel license fees. Below is a comparison of the kennel license fees proposed in Senate Bill 746 to current law.

Kennel License Fees				
Kennel Type	Class	# of Dogs	Current Fee	SB 746
Private/Commercial/Out-of-State Dealer	I	<= 50	\$ 75.00	\$100.00
Private/Commercial/Out-of-State Dealer	II	51 - 100	\$200.00	\$250.00
Private/Commercial/Out-of-State Dealer	III	101 - 150	\$300.00	\$375.00
Private/Commercial/Out-of-State Dealer	IV	151 - 250	\$400.00	\$500.00
Private/Commercial/Out-of-State Dealer	V	251 - 500	\$500.00	\$625.00
Private/Commercial/Out-of-State Dealer	VI	> 500	\$750.00	\$950.00
Boarding	I	1-10	\$100.00	\$125.00
Boarding	II	11 - 25	\$150.00	\$200.00
Boarding	III	> 25	\$250.00	\$325.00

The legislation eliminates the nonprofit kennel license and establishes kennel licenses for Humane Societies, municipal holding pens and out-of-state dealer SPCAs. It also establishes a \$35 fee to obtain these licenses.

The legislation provides that the license fee for rescue network kennels is applicable to the number of dogs housed by or transferred through the rescue network kennel and or its rescue network kennel homes.

The legislation requires a kennel to apply for the appropriate type and class of license prior to the beginning of the calendar year based on the kennel's activity in the prior year. It allows for a new kennel to apply for a license based upon its expected activity during the calendar year for which it makes its application. It requires a kennel to apply for the appropriate license within seven days of changing type or class of kennel license. It provides a kennel applying for a commercial license to have an additional 365 days to become compliant with additional licensing requirements and allows for the secretary to grant an extension if a good faith effort is made by the kennel operator to become compliant. It provides for a civil penalty

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of not less than \$1,000 and not more than \$5,000 for kennel operators that fail to obtain the appropriate class of kennel license and provides that a person operating a kennel without an appropriate license commits a misdemeanor of the third degree.

The legislation requires pet shop kennels and kennels offering dogs directly to the public for sale or adoption to conspicuously post information on the dog's primary enclosure including: (1) the breed, age and date of birth; (2) the state the breeder of the dog is located; (3) the USDA breeder license number, if applicable; (4) the Department of Agriculture license number, if applicable; (5) documentation of inoculations, vaccinations and other medical treatments; and (6) bite attacks on a human being or domestic cat or dog.

The legislation requires advertisements for the sale of dogs to identify any individuals required to be licensed to sell dogs and the individual's license number, name and address. It also provides that an individual who violates the advertising requirements is subject to a civil penalty of \$100 for each advertisement offer.

The legislation requires kennels to have and implement isolation plans for dogs imported from another state or country to mitigate possible transmission of diseases. It requires the isolation plan to be approved by a licensed veterinarian.

The legislation requires boarding kennels primary enclosures to be structurally sound and kept in good repair. It also requires that the enclosures do not have gaps or openings on the sides that would allow for a dog's limbs to extend into another primary enclosure.

The legislation clarifies language authorizing the secretary to revoke or refuse to issue a kennel license to an individual convicted of cruelty to animals.

The legislation requires dogs entering kennels from out-of-state to have an interstate certificate of veterinary inspection and vaccinations.

The legislation identifies the conditions for a magisterial district judge to find the owner or keeper of a dog guilty of a summary offense of harboring a dangerous dog. It clarifies provisions related to subsequent violations by dangerous dogs, the issuance of seizure and destruction orders and the appeals process. It also increases the registration fee for a dangerous dog certificate from \$500 to \$1,000.

The legislation increases the monetary penalties associated with violating the Dog Law for a first offense from not less than \$100 nor more than \$500 to not less than \$500 nor more than \$1,000. It also increases the fines for subsequent offenses from not less than \$500 nor more than \$1,000 to not less than \$1,000 nor more than \$5,000

The legislation is scheduled to take effect in 90 days.

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FISCAL IMPACT:

Based on estimates provided by the Department of Agriculture, the provisions contained in Senate Bill 746 are estimated to generate \$3,765,000 in new revenue to the Commonwealth annually. It is estimated that \$3,515,000 of the total will accrue to the Dog Law Restricted Account, and \$250,000 will accrue to the Judicial Augmentation Account. A breakdown of the estimated revenue is included below.

New Revenue		
Item	Fund	Est. Revenue
Dog License Fees	Dog Law Restricted Account	\$3,200,000
Kennel License Fees	Dog Law Restricted Account	\$163,000
Dangerous Dog Registration Fees	Dog Law Restricted Account	\$102,000
Civil Penalties	Dog Law Restricted Account	\$50,000
Criminal Penalties	Judicial Augmentation Account	\$250,000
Total		\$3,765,000

To the extent the statewide dog licensing website increases the number of licenses sold to dog owners and the secretary chooses to increase the annual dog law license fee amount as authorized in 2025 and 2027, revenues from dog license fees will increase.

The Department of Agriculture estimates that it will cost approximately \$500,000 to purchase software and information technology systems necessary to operate the statewide dog licensing website required under the legislation.