

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2644 Session of
1990

INTRODUCED BY PICCOLA, BARLEY, PITTS, NOYE, STEIGHNER, SAURMAN,
JOSEPHS, TANGRETTI, OLASZ, CIVERA, JAMES AND TRELLO,
JUNE 6, 1990

REFERRED TO COMMITTEE ON AGRICULTURE AND RURAL AFFAIRS,
JUNE 6, 1990

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 assessment of damages done to livestock, poultry and domestic
9 game birds; providing for payment of damages by the
10 Commonwealth in certain cases and the liability of the owner
11 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," limiting inspections of residences for violations.

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

17 Section 1. Section 901 of the act of December 7, 1982
18 (P.L.784, No.225), known as the Dog Law, is amended to read:

19 Section 901. Enforcement of this act by the Secretary of
20 Agriculture; provisions for inspections.

21 (a) General rule.--The secretary, through State dog wardens,
22 employees of the department and police officers, shall be
23 charged with the general enforcement of this law. The secretary

1 may employ all proper means for the enforcement of this act and
2 may enter into agreements with local agencies and organizations
3 for the purpose of dog control. Except as otherwise provided in
4 subsection (d), State dog wardens and employees of the
5 department are hereby authorized to enter upon the premises of
6 any persons for the purpose of investigation upon displaying his
7 badge of identification furnished by the department.

8 (b) Training for dog wardens.--The secretary shall establish
9 training requirements for dog wardens which shall include dog
10 handling and humane capture, preliminary recognition of dog
11 pathology, knowledge of proper dog sanitation and shelter and
12 dog law enforcement.

13 (c) Advisory board.--The secretary shall appoint a Dog Law
14 Advisory Board to advise him in the administration of this act.
15 The board shall consist of one representative from each of the
16 following: Pennsylvania Veterinarian Medical Association,
17 Federation of Humane Societies, Sportsmen's Association, dog
18 clubs, animal research establishments, dog dealers, Pennsylvania
19 Farmers Association, State Grange, lamb and wool growers and
20 poultry farmers associations. The board shall be chaired by the
21 secretary or his designee and shall convene when called by the
22 secretary.

23 (d) Residence inspection restriction.--It shall be unlawful
24 for the department or any of its employees or agents, any police
25 officer or any other person to conduct door-to-door inspections
26 or canvasses of residences or, absent an emergency threatening
27 public health or safety, to otherwise enter or request
28 permission to enter any residence for the purpose of making an
29 inspection in the enforcement of this act without first
30 obtaining a warrant, which shall only be issued upon a showing

1 of reasonable cause to believe that an occupant of a residence
2 thereof is harboring or keeping a dog or other animal in
3 violation of this act. Any prosecution for a violation of this
4 act shall be dismissed if it is based upon evidence obtained in
5 violation of this subsection. Nothing in this subsection shall
6 apply to any inspection conducted in the enforcement of a
7 quarantine. As used in this subsection, the term "residence"
8 means the dwelling house and its surrounding land within 300
9 feet thereof, including a shed or other similar structure, which
10 is used for domestic purposes in the conduct of family affairs.

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