

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 738 Session of 2017

INTRODUCED BY SCHWANK, COSTA, BLAKE, BREWSTER AND VULAKOVICH,  
JUNE 2, 2017

REFERRED TO AGRICULTURE AND RURAL AFFAIRS, JUNE 2, 2017

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 licenses, tags and kennels, further providing  
 15 for issuance of dog licenses, compensation, proof required,  
 16 deposit of funds, records, license sales, rules and  
 17 regulations, failure to comply, unlawful acts and penalty,  
 18 for application for dog licenses, fees and penalties and for  
 19 tags furnished to county treasurers and other agents and lost  
 20 tags; and, in enforcement and penalties, further providing  
 21 for disposition of fines and penalties.

22 The General Assembly of the Commonwealth of Pennsylvania  
 23 hereby enacts as follows:

24 Section 1. Section 200(a) of the act of December 7, 1982  
 25 (P.L.784, No.225), known as the Dog Law, is amended by adding a  
 26 paragraph and subsection (b) is amended to read:

27 Section 200. Issuance of dog licenses; compensation; proof

1 required; deposit of funds; records; license sales;  
2 rules and regulations; failure to comply; unlawful  
3 acts; penalty.

4 (a) Issuance of dog licenses.--

5 \* \* \*

6 (6) The secretary shall have the authority to establish,  
7 operate and maintain, through a vendor or otherwise, a single  
8 Statewide dog licensing Internet website capable of selling  
9 dog licenses online in each county and processing payment  
10 therefor, capable of processing dog license certificates and  
11 issuing dog license certificates and tags in each county and  
12 capable of maintaining an accurate, complete and single  
13 Statewide registry of all licensed dogs in this Commonwealth  
14 no matter by whom or how the license was sold. All agents  
15 shall be required to submit electronic records of dog license  
16 sales to the registry such that accuracy and completeness of  
17 the the registry is maintained at all times.

18 (b) Compensation.--For services rendered in collecting and  
19 paying over dog license fees, agents, for as long as they  
20 continue to act in that capacity, may collect and retain [a sum  
21 equal to the cost of a postage stamp plus \$1] the following  
22 amount for each dog license sold, which amount shall be full  
23 compensation for services rendered by them under this act.

24 (1) Beginning the effective date of this paragraph and  
25 continuing for one year, the amount shall be \$2. For any  
26 lifetime license sold, the fee shall be \$3.

27 (2) Beginning one year from the effective date of this  
28 paragraph, the secretary shall have the authority to  
29 establish by regulation the amount of compensation collected.  
30 The amount established shall be only that which is required

1 to cover the reasonable and necessary expenses of  
2 administering the duties provided in this act. The amounts  
3 shall reflect the increased administrative duties imposed in  
4 selling a lifetime dog license and shall provide for  
5 compensation to the county treasurer and agents under  
6 paragraphs (a) (1), (4) and (5).

7 (3) The compensation shall be retained by the respective  
8 agents and shall cover, among other things, the cost of  
9 processing and issuing dog licenses, postage, mailing,  
10 returns and bonding of the agents. A magisterial district  
11 judge authorized by the county treasurer to process  
12 applications for dog license certificates and issue dog  
13 license certificates is not authorized to collect  
14 compensation under this subsection. [Agents under subsection  
15 (a) (3) and (5) shall collect an additional 50¢ which shall be  
16 remitted to the county treasurer, for the use of the county,  
17 in the same manner as records are forwarded under subsection  
18 (e).]

19 \* \* \*

20 Section 2. Sections 201, 203 and 905 of the act are amended  
21 to read:

22 Section 201. Applications for dog licenses; fees; penalties.

23 (a) General rule.--Except as provided in subsection (b), on  
24 or before January 1 of each year, the owner of any dog, three  
25 months of age or older, except as hereinafter provided, shall  
26 apply to the county treasurer of his respective county or an  
27 agent under section 200(a), on a form prescribed by the  
28 department, for the appropriate license for the dog. The  
29 application and license certificate shall state the breed, sex,  
30 age, color and markings of the dog, the name, address and

1 telephone number of the owner and the year of licensure. The  
2 application shall be accompanied by the appropriate license fee  
3 [as follows:

4 (1) For each neutered male dog and for each spayed  
5 female dog for which the certificate of a licensed doctor of  
6 veterinary medicine or the affidavit of the owner is  
7 produced, the license fee shall be \$5.

8 (2) For all other male and female dogs, the license fee  
9 shall be \$7.

10 (3) For Pennsylvania residents 65 years of age or older  
11 and persons with disabilities:

12 (i) For each neutered male dog and for each spayed  
13 female dog for which the certificate of a licensed doctor  
14 of veterinary medicine or the affidavit of the owner is  
15 produced, the license fee shall be \$3.

16 (ii) For all other male and female dogs, the license  
17 fee shall be \$5.

18 (4) Compensation, if collected under section 200(b),  
19 shall also be paid by all applicants, regardless of age or  
20 disability.

21 (5) All additional costs of a vanity or collector tag  
22 issued under this subsection shall be in addition to the  
23 required license fee under this section. The additional cost  
24 shall be distributed equally between the county treasurer  
25 that issued the license and the Dog Law Restricted Account. A  
26 vanity or collector tag shall not be issued without approval  
27 of the department.]

28 (a.1) Fee schedule.--Beginning on the effective date of  
29 this subsection and continuing for at least one year, the  
30 license fees shall be:

1       (1) For each neutered male dog and for each spayed  
2 female dog for which a certificate of a licensed doctor of  
3 veterinary medicine or the affidavit of the owner is  
4 produced, the license fee shall be \$8 and the lifetime  
5 license fee shall be \$44.

6       (2) For all other male and female dogs, the license fee  
7 shall be \$11 and the lifetime license fee shall be \$74.

8       (3) For Pennsylvania residents who are at least 65 years  
9 of age and persons with disabilities:

10       (i) The license fee under paragraph (1) shall be \$5  
11 and the lifetime license fee shall be \$29.

12       (ii) The license fee under paragraph (2) shall be \$8  
13 and the lifetime license fee shall be \$44.

14       (4) Beginning one year from the effective date of this  
15 subsection, the secretary shall have the authority to  
16 establish by regulation the amount of a dog license fee. The  
17 amount established shall be only that which is required to  
18 cover the reasonable and necessary expenses of administering  
19 the duties under this act. License fee amount shall be  
20 separately established for neutered male or spayed female  
21 dogs, Pennsylvania residents who are at least 65 years of age  
22 and persons with disabilities.

23       (a.2) Applicability.--Compensation, if collected under  
24 section 200(b) shall also be paid by all applicants, regardless  
25 of age, disability or type of license.

26       (a.3) Vanity and collector tags.--All additional costs of a  
27 vanity or collector tag issued under this section shall be in  
28 addition to the required license fee under this section. The  
29 additional cost shall be distributed equally between the county  
30 treasurer that issued the license and the Dog Law Restricted

1 Account. A vanity or collector tag shall not be issued without  
2 approval of the department.

3 (b) Lifetime license.--The owner of any dog three months of  
4 age or older which has been permanently identified may apply to  
5 the county treasurer of his respective county or an agent under  
6 section 200(a), on a form prescribed by the department for a  
7 lifetime license for such a dog. Except as otherwise provided in  
8 this act, a dog which has been issued a lifetime license shall  
9 be required to wear a license tag. The application and license  
10 certificate shall state the breed, sex, age, color and markings  
11 of such dog, the type and number of permanent identification and  
12 the name, address and telephone number of the owner. The  
13 application shall be accompanied by the appropriate license fee  
14 as [follows:

15 (1) For each neutered male dog and for each spayed  
16 female dog for which the certificate of a licensed doctor of  
17 veterinary medicine or the affidavit of the owner is  
18 produced, the lifetime license fee shall be \$30.

19 (2) For all other male and female dogs, the license fee  
20 shall be \$50.

21 (3) For Pennsylvania residents 65 years of age or older  
22 and persons with disabilities:

23 (i) For each neutered male dog and for each spayed  
24 female dog for which the certificate of a licensed doctor  
25 of veterinary medicine or the affidavit of the owner is  
26 produced, the license fee shall be \$20.

27 (ii) For all other male and female dogs, the license  
28 fee shall be \$30.

29 (4) Compensation, if collected under section 200(b),  
30 shall also be paid by all applicants, regardless of age or

1 disability. A dog which has been issued a lifetime license  
2 prior to the effective date of this act shall not be subject  
3 to fees under this subsection.

4 (5) All additional costs of a vanity or collector tag  
5 issued under this subsection shall be charged in addition to  
6 the fees under this section. The additional cost shall be  
7 distributed equally between the county treasurer that issued  
8 the tag and the Dog Law Restricted Account. A vanity or  
9 collector tag shall not be issued without approval of the  
10 department.] established under subsection (a.1).

11 (c) Penalty.--A person who violates this section commits a  
12 summary offense and, upon conviction, shall be sentenced to pay  
13 a fine of not less than \$50 nor more than \$300 for each  
14 unlicensed dog. Fraudulent statements, including those related  
15 to the breed of the dog, failure to pay the appropriate fee or  
16 failure to update records, including address and contact  
17 information, within 120 days of moving constitute a violation.  
18 The burden of proof shall be the same as under section 802.  
19 Section 203. Tags furnished to county treasurers and other  
20 agents; lost tags.

21 The department shall furnish to the county treasurers and to  
22 other agents under section 200(a) tags to be given to applicants  
23 for dog licenses. [The department shall furnish to the county  
24 treasurers tags to be distributed to agents under section 200(a)  
25 (3) and (5).] Such tags shall bear the name of the county where  
26 such dog license is issued and a serial number corresponding to  
27 the number on the issued dog license certificate. Such tags  
28 shall not contain more than one square inch of area between the  
29 ears or the fastening device and have impressed thereon the  
30 calendar year for which the tag is valid. If any tag is lost, it

1 shall be replaced by the county treasurer upon production of the  
2 dog license certificate. The cost for the issuance of a tag due  
3 to loss shall be \$1 paid to the county treasurer for the use of  
4 the county.

5 Section 905. Disposition of fines and penalties.

6 Fines and penalties shall be disposed of as follows:

7 (1) If a prosecution pursuant to this act is initiated  
8 by a State dog warden, employee of the department or State  
9 Police officer, all fines forfeited, recognizances and other  
10 forfeitures imposed, lost or forfeited under this act shall  
11 be payable through the Department of Agriculture into the  
12 State Treasury for credit to the Dog Law Restricted Account.

13 (2) Notwithstanding the provisions of 42 Pa.C.S. § 3733  
14 (relating to deposits into account) or any other law to the  
15 contrary, any and all fines, fees and costs collected by a  
16 division of the unified judicial system as a result of the  
17 prosecution, conviction or guilty plea of persons charged  
18 with a violation of this act shall be deposited into the Dog  
19 Law Restricted Account and shall not be subject to being  
20 deposited or transferred into any other account.

21 (3) If a prosecution pursuant to this act is initiated  
22 by a local police officer or animal control officer, all  
23 fines forfeited, recognizances and other forfeitures imposed,  
24 lost or forfeited under this act shall be payable to the  
25 political subdivision which employs such local police officer  
26 or animal control officer.

27 Section 3. This act shall take effect immediately.