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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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SENATE BILL

No. 798 Session of  
2019

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INTRODUCED BY KILLION, ARGALL, BLAKE, BREWSTER, DINNIMAN,  
SABATINA AND SCHWANK, JULY 9, 2019

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REFERRED TO AGRICULTURE AND RURAL AFFAIRS, JULY 9, 2019

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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; and, in dangerous dogs, further providing  
16 for court proceedings, certificate of registration and  
17 disposition and for requirements.

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

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

23 Section 102. Definitions.

24 The following words and phrases when used in this act shall  
25 have, unless the context clearly indicates otherwise, the

1 meanings given to them in this section:

2 \* \* \*

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

7 \* \* \*

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

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

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

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

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

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

30 (iii) Attacked a human being without provocation.

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

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

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

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

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

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

15 (a.2) Summary offense of harboring a dangerous dog.--Any  
16 person who has been attacked by one or more dogs, including the  
17 person's legal guardian or personal representative, a person  
18 whose domestic animal, dog or cat has been killed or injured by  
19 an unprovoked attack, the State dog warden or the local police  
20 officer may file a complaint before a magisterial district  
21 judge, charging the owner or keeper of the a dog with harboring  
22 a dangerous dog. The owner or keeper of the dog shall be guilty  
23 of the summary offense of harboring a dangerous dog if the  
24 magisterial district judge finds beyond a reasonable doubt that  
25 the dog has done any of the following:

26 (1) Inflicted severe injury on a human being unprovoked  
27 on public or private property.

28 (2) Killed or inflicted severe injury on a domestic  
29 animal, dog or cat unprovoked while off the owner's property  
30 or has a propensity or history of attacks if the dog kills or

1 inflicts severe injury on a domestic animal while on the  
2 owner's property unprovoked. A propensity to kill or inflict  
3 severe injury may be proven by a single incident.

4 (3) Attacked a human being unprovoked and has a history  
5 or propensity of attacking human beings or domestic animals,  
6 dogs or cats unprovoked. A propensity to attack may be proven  
7 by a single incident.

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

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

17 \* \* \*

18 Section 3. Section 503-A of the act is amended to read:

19 Section 503-A. Requirements.

20 \* \* \*

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

29 \* \* \*

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