

**DOG LAW**  
**Act of Dec. 7, 1982, P.L. 784, No. 225**

**Cl. 03**

AN ACT

Relating to dogs, regulating the keeping of dogs; providing for the licensing of dogs and kennels; providing for the protection of dogs and the detention and destruction of dogs in certain cases; regulating the sale and transportation of dogs; declaring dogs to be personal property and the subject of theft; providing for the abandonment of animals; providing for the assessment of damages done to animals; providing for payment of damages by the Commonwealth in certain cases and the liability of the owner or keeper of dogs for such damages; imposing powers and duties on certain State and local officers and employees; providing penalties; and creating a Dog Law Restricted Account. (Title amended Dec. 11, 1996, P.L.943, No.151)

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

### **ARTICLE I SHORT TITLE AND DEFINITIONS**

#### **Section 101. Short title.**

This act shall be known and may be cited as the "Dog Law."

#### **Section 102. Definitions.**

The following words and phrases when used in this act shall have, unless the context clearly indicates otherwise, the meanings given to them in this section:

"Abandon." To forsake entirely or to neglect or refuse to provide or perform the legal obligations for the care and support of an animal by its owner or his agent.

"Abandonment." Relinquishment of all rights and claims to an animal by its owner.

"Accelerant detection dog." (Deleted by amendment).

"Accredited veterinarian." A veterinarian approved by the Animal and Plant Health Inspection Service within the United States Department of Agriculture in accordance with 9 CFR Pt. 161 (relating to requirements and standards for accredited veterinarians and suspension or revocation of such accreditation). (Def. added July 8, 2024, P.L.527, No.47)

"Agent." A person defined in section 200 who is authorized by this act to process applications for dog license certificates and issue dog license certificates and tags.

"Animal control officer." Any person appointed to carry out the duties of dog control.

"Attack." The deliberate action of a dog, whether or not in response to a command by its owner, to bite, to seize with its teeth or to pursue any human, domestic animal, dog or cat.

"Boarding kennel." Any establishment available to the general public where a dog or dogs are housed for compensation by the day, week or a specified or unspecified time. The term shall not include a kennel where the practice of veterinary medicine is performed if the kennel is covered by the provisions of the act of December 27, 1974 (P.L.995, No.326), known as the "Veterinary Medicine Practice Act." The term shall include any boarding facility operated by a licensed doctor of veterinary medicine whether or not this facility is on the same premises as a building or structure subject to the provisions of the "Veterinary Medicine Practice Act." The term shall include any establishment available to the general public that, for consideration, takes control of a dog from the owner for a portion of a day for the purposes of exercise, day care or entertainment of the dog. For the purpose of this term, each time a dog enters the kennel it shall be counted as one dog. This term does not include an establishment engaged only in dog grooming or dog training.

"Breeding kennel." (Deleted by amendment).

"Cat." The genus and species known as *Felis catus*.

"Certificate of vaccination." A certificate verifying vaccination against rabies, containing information consistent with the 2016 version of the National Association of State Public Health Veterinarians Rabies Compendium, published by the National Association of State Public Health Veterinarians Compendium of Animal Rabies Prevention and Control Committee, or any successor version approved by the secretary under section 902(b). (Def. amended July 8, 2024, P.L.527, No.47)

"Commercial kennel."

(1) A kennel that breeds or whelps dogs and:

- (i) sells or transfers any dog to a dealer or pet shop-kennel; or
- (ii) sells or transfers more than 60 dogs per calendar year.

(2) The term does not include a service dog kennel.

(Def. amended July 8, 2024, P.L.527, No.47)

"Confiscate." To appropriate property to the use of the government or to adjudge property to be forfeited to the public, without compensation to the owner of the property.

"County animal warden." Any person employed or appointed under section 1002(a.1).

"County treasurer." The elected officer for any county or any county employee assigned to the office of the county treasurer charged with the receipt, custody and disbursements of its moneys or funds. The term county treasurer shall include those officials in home rule charter counties responsible for county treasurer's duties.

"Coyote." The genus and species known as *Canis latrans*.

"Dangerous dog." A dog determined to be a dangerous dog under section 502-A.

"Dealer." A person who:

- (1) publicly or privately sells or offers for sale any dog belonging to another person for consideration, a fee or a commission or percentage of the sale price;
- (2) transfers dogs at wholesale for resale to another; or
- (3) offers or maintains dogs at wholesale for resale to another.

"Dealer kennel." A kennel operating within the Commonwealth which:

- (1) publicly or privately sells or offers for sale any dog as an owner, agent or assignee for a fee, commission or percentage of the sale price;
- (2) transfers dogs at wholesale for resale to another; or
- (3) offers or maintains dogs at wholesale for resale to another. The term does not include a pound, shelter or common carrier or a kennel defined elsewhere in this section.

"Department." The Pennsylvania Department of Agriculture.

"Detection dog." A dog which is trained and used for accelerant detection, bomb or explosives detection, narcotics detection or other scent detection.

"Dog." The genus and species known as *Canis familiaris*.

"Dog control." The apprehending, holding and disposing of stray or unwanted dogs. Dog control may be performed by humane society police officers, police officers, State dog wardens or animal control officers.

"Domestic animal." Any equine animal or bovine animal, sheep, goat, pig, poultry, bird, fowl, confined hares, rabbits and mink, or any wild or semiwild animal maintained in captivity.

"Establishment."

(1) The premises on, in or through which a dog is kept, bred, harbored, boarded, sheltered, maintained, sold, given away, exchanged or in any way transferred.

(2) The term shall encompass all of the following on, in or through which any of the activities under paragraph (1) take place:

(i) The home, homestead, place of business or operation of a person, including a dealer, which includes all of the land, property, housing facilities or any combination of land, property or housing facilities of the individual or person.

(ii) All of the persons residing in or on the establishment.

(iii) A person, organization, business or operation which utilizes offsite or rescue network kennel homes to keep, maintain, breed, train, harbor, board, shelter, sell, give away, adopt, exchange or in any way transfer dogs.

(3) The term shall not include a gathering of dog owners where dogs remain in the custody and care of their owners, such as a hotel or campground, a place for grooming or training or an event such as a field trial, performance event, hunting event or dog show.

"Housing facility." A structure that provides animals with shelter, protection from the elements and protection from temperature extremes.

"Humanely killed." A method of destruction in accordance with the act of December 22, 1983 (P.L.303, No.83), referred to as the Animal Destruction Method Authorization Law.

"Humane society or association for the prevention of cruelty to animals." A nonprofit society or association duly incorporated pursuant to 15 Pa.C.S. Ch. 53 Subch. A (relating to incorporation generally) for the purpose of the prevention of cruelty to animals, which has a licensed physical kennel facility that can house a minimum of ten dogs, and which is not located on a residential property. (Def. amended Oct. 23, 2023, P.L.114, No.18)

"Humane society police officer." As defined in 22 Pa.C.S. § 3702 (relating to definitions). (Def. amended Oct. 23, 2023, P.L.114, No.18)

"Interstate certificate of veterinary inspection." A legible official document that is:

(1) made on a form issued by the chief livestock health official of the state of origin or the United States Department of Agriculture;

(2) prepared by an accredited veterinarian of the state of origin certifying the health of the animal described in the certificate; and

(3) validated by the chief livestock health official of the state of origin.

(Def. added Oct. 23, 2023, P.L.114, No.18)

"Kennel." Any establishment in or through which at least 26 dogs are kept or transferred in a calendar year, or a boarding kennel as defined in this act.

"Licensed doctor of veterinary medicine" or "veterinarian." A person who is currently licensed pursuant to the act of December 27, 1974 (P.L.995, No.326), known as the "Veterinary Medicine Practice Act."

"Muzzle." A device, in any arrangement of straps or wires, placed over an animal's mouth to prevent the animal from biting or eating.

"Nonprofit kennel." (Def. deleted by amendment Oct. 23, 2023, P.L.114, No.18)

"Out-of-state dealer." A person who does not reside in the Commonwealth of Pennsylvania and who:

(1) sells or offers for sale a dog in this Commonwealth belonging to another person, for any type of consideration, fee, commission or percentage of the sales price; or

(2) transfers a dog in this Commonwealth for resale to another for any type of consideration, fee, commission or percentage of the sales price.

"Owner." When applied to the proprietorship of a dog, includes every person having a right of property in such dog, and every person who keeps or harbors such dog or has it in his care, and every person who permits such dog to remain on or about any premises occupied by him.

"Permanent identification" or "permanently identified." Any long-lasting identification designed to be nonremovable, such as a tattoo or microchip, determined by the Department of Agriculture through regulation. Any dog permanently identified shall be required to bear a license tag in accordance with the provisions of this act.

"Person with a disability." A person who receives disability insurance or supplemental security income for the aged, blind or disabled under the Social Security Act (49 Stat. 620, 42 U.S.C. § 301 et seq.); who receives a rent or property tax rebate under the act of March 11, 1971 (P.L.104, No.3), known as the "Senior Citizens Rebate and Assistance Act," on account of disability; who has a disability certificate issued by the United States Veterans' Administration; or who has a special registration plate under 75 Pa.C.S. § 1338 (relating to person with disability plate and placard).

"Persons." Includes State and local officers, or employees, individuals, corporations, copartnerships and associations. Singular words shall include the plural. Masculine words shall include the feminine and neuter.

"Pet shop-kennel." Any kennel or person that acquires and sells dogs for the purpose of resale, whether as owner, agent or consignee, and sells or offers to sell such dogs on a retail basis.

"Police officer." Any person employed or elected by this Commonwealth, or by any municipality and whose duty it is to preserve peace or to make arrests or to enforce the law. The term includes constables and dog, game, fish and forest wardens.

"Primary enclosure." The primary structure that restricts a dog's ability to move in a limited amount of space, such as a room, cage or compartment. The term does not include any run described in section 207(i)(6).

"Private kennel." A kennel not meeting the definition of "commercial kennel" where dogs are kept or bred by their owner, for the purpose of hunting, tracking and exhibiting in dog shows, performance events or field and obedience trials.

"Proper enclosure of a dangerous dog." The secure confinement of a dangerous dog either indoors or in a securely enclosed and locked pen or structure, suitable to prevent the entry of young children and domestic animals and designed to prevent the dangerous dog from escaping. The pen or structure shall have secure sides and a secure top and shall also provide protection from the elements for the dog. If the pen or structure has no bottom secured to the sides, the sides must be embedded at least two feet into the ground.

"Public place." A place in this Commonwealth to which the general public has a right to resort. A public place need not be a place devoted solely to use by the public, but may be a place which is visited by many persons on a regular basis and is usually accessible to the neighboring public. A public place shall also include television and radio media.

"Rescue network kennel." A kennel that utilizes rescue network kennel homes with the goal of ultimately transferring the dog to a permanent owner or keeper through any means of transfer.

"Rescue network kennel home." An establishment to which a rescue network kennel assigns a dog until the dog is ultimately transferred to a permanent home.

"Research." Investigation or experimentation aimed at the discovery and interpretation of facts or procedures, revision of accepted theories or laws in the light of new facts or practical application of such new or revised theories or laws as related to the advancement of medical science and technological treatment of disease or surgical operations, medical procedures, transplants, functions and any form of medical or pharmacological actions on dogs when applied and personally supervised by a qualified scientist with degrees approved by the secretary.

"Research kennel." Any Federal research kennel or other research kennel duly registered with and inspected by the Federal Government under the provisions of the Animal Welfare Act (Public Law 89-544, 7 U.S.C. § 2131 et seq.) and its attendant regulations.

"Search and rescue dog." A dog which is trained to locate lost or missing persons, victims of natural or manmade disasters and human bodies.

"Secretary." The Secretary of Agriculture or any person to whom authority has been delegated by the Secretary of Agriculture.

"Seizure." The act of taking possession of property for a violation of law or the taking or removal from the possession of another. The term shall not include the taking of ownership of property.

"Seller." An individual who:

(1) sells or transfers the ownership interest of a dog to another individual for consideration of money; and

(2) meets the criteria to be licensed as a kennel.

(Def. added Oct. 23, 2023, P.L.114, No.18)

"Service dog." Any dog which has been or is in the process of being trained as a guide dog, signal dog or has been trained to do work or perform tasks for the benefit of an individual with a disability, including, but not limited to, guiding individuals with impaired vision, alerting individuals with impaired hearing to intruders or sounds, pulling a wheelchair or fetching dropped items.

"Service dog kennel." A kennel that:

(1) Is accredited by an organization that:

(i) is an international coalition of nonprofit member programs that includes organizations in this Commonwealth that train service dogs;

(ii) has a chapter in North America; and

(iii) accredits nonprofit organizations, as defined under 26 U.S.C. § 501(c)(3) (relating to exemption from tax on corporations, certain trusts, etc.), that place service dogs.

(2) Exclusively breeds, trains and places service dogs to support people with disabilities.

(3) Is a nonprofit organization as defined under 26 U.S.C. § 501(c)(3).

(Def. added July 8, 2024, P.L.527, No.47)

"Severe injury." Any physical injury that results in broken bones or disfiguring lacerations requiring multiple sutures or cosmetic surgery.

"State dog warden." An employee of the department whose primary duty is to enforce this act and the regulations pursuant thereto.

"Veterinarian-client-patient relationship." As defined in section 3(15) of the act of December 27, 1974 (P.L.995, No.326), known as the "Veterinary Medicine Practice Act."

"Vivisection." The cutting of or operation on a living animal for physical or pathological investigation or animal experimentation.

"Wild" or "semiwild animal." A domestic animal which is now or historically has been found in the wild, including, but not limited to, bison, deer, elk, llamas or any species of foreign or domestic cattle, such as ankole, gayal and yak.

(102 amended Oct. 9, 2008, P.L.1450, No.119)

## **ARTICLE V OFFENSES OF DOGS**

### **Section 502. Dog bites; detention and isolation of dogs.**

(a) Confinement.--

(1) Any dog which bites or attacks a human being shall be immediately confined in a primary enclosure approved by a designated employee of the Department of Health, a State dog warden or employee of the Department of Agriculture, an animal control officer or a police officer. The dog



may be detained and isolated in an approved kennel or in a primary enclosure at the dog owner's property or at another location approved by the investigating officer. Where the dog is detained is at the discretion of the investigating officer.

(2) All dogs detained under paragraph (1) must be isolated for a minimum of ten days to determine the medical results of the offending dog's confinement.

(3) When a dog detained under this subsection is outside of the primary enclosure for veterinary care or relief, it shall be muzzled, on a leash and under physical restraint by a responsible person.

(4) Any costs incurred in the detaining and isolation of the dog shall be paid by the offending dog's owner or keeper or both. If the dog's owner or keeper is not known, the Commonwealth is responsible for all reasonable costs for holding and detaining the dog.

((a) amended Oct. 23, 2023, P.L.114, No.18)

(b) Bite victims.--The following shall apply:

(1) The investigating officer shall be responsible for notifying the bite victim of the medical results of the offending dog's confinement. Any cost to the victim for medical treatment resulting from an attacking or biting dog must be paid fully by the owner or keeper of the dog. The Commonwealth shall not be liable for medical treatment costs to the victim.

(2) (i) For the purpose of this subsection, the term "medical results of the offending dog's confinement" shall mean, except as provided in subparagraph (ii), information as to whether the quarantined dog is still alive and whether it is exhibiting any signs of being infected with the rabies virus.

(ii) If a nonlethal test for rabies is developed, the term shall mean the results of the test and not the meaning given in subparagraph (i).

(c) Exception.--When a dog that bites or attacks a human being is a service dog or a police work dog in the performance of duties, the dog need not be confined if it is under the active supervision of a licensed doctor of veterinary medicine.

(502 amended Oct. 9, 2008, P.L.1450, No.119)

## **ARTICLE V-A DANGEROUS DOGS**

(Art. V-A added May 31, 1990, P.L.213, No.46)

**Section 501-A.** Definitions.--(501-A deleted by amendment Dec. 11, 1996, P.L.943, No.151)

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

(a) Summary offense of harboring a dangerous dog.--((a) deleted by amendment).

(a.1) Effect of conviction.--((a.1) deleted by amendment).

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

(1) A State dog warden or a local police officer may file a complaint before a magisterial district judge, charging the owner or keeper of the dog with harboring a dangerous dog on behalf of:

(i) A person, including the person's legal guardian or personal representative, who has been attacked by one or more dogs.

(ii) A person whose domestic animal, dog or cat has been killed or injured by a dog.

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

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

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

(iii) Attacked a human being without provocation.

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

(v) Has a history of attacking, without provocation, a human being, domestic animal, dog or cat.

(3) The provisions of paragraph (2)(i) and (iii) shall not apply if a human being has violated 18 Pa.C.S. § 3503 (relating to criminal trespass).

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

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

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

(c) Certificate of registration required.--It is unlawful for an owner or keeper to have a dangerous dog without a certificate of registration issued under this article. This article shall not apply to dogs used by law enforcement officials for police work, certified guide dogs for the blind, hearing dogs for the deaf nor aid dogs for the handicapped.

(d) Disposition of dog during court proceedings.--An owner or keeper of any dog who has been charged with harboring a dangerous dog shall keep the dog or dogs confined in a proper enclosure or, when off the property of the owner or keeper for purposes of veterinary care, muzzled, on a leash and under physical restraint by a responsible person until the time a report is made under subsection (b). If an appeal of a decision under subsection (b) is filed, the dog or dogs shall remain so confined until the proceedings are completed. It shall be unlawful for an owner or keeper of a dog who has been charged with harboring a dangerous dog to dispense, move, sell, offer to sell, give away or transfer the dog in any manner except to have it humanely killed or move the dog to a licensed kennel if approved by the investigating officer. A violation of this subsection shall constitute a summary offense accompanied by a fine of not less than \$500.

(502-A amended Oct. 23, 2023, P.L.114, No.18)

### **Section 503-A. Requirements.**

(a) Certificate of registration requirements.--The owner or keeper of a dog who has been convicted of harboring a dangerous dog shall keep the dog properly confined and shall register the dog with the department. Within 30 days of receiving written notification from the department that the dog has been determined to be dangerous, the owner or keeper of the dog shall comply with all the provisions of this section. The department shall issue, upon sufficient evidence of compliance with the requirements of this section and payment of all fees under subsection (b), a certificate of registration to the owner or keeper of the dangerous dog.

(a.1) Compliance requirements.--The owner or keeper of a dog who has been convicted of harboring a dangerous dog shall do all of the following:

(1) Present sufficient evidence of a proper enclosure to confine a dangerous dog and the posting of a premises with a clearly visible warning sign that there is a dangerous dog on the property. In addition, the owner shall conspicuously display a sign with a warning symbol that informs children of the presence of a dangerous dog.

(2) Pay court-ordered restitution to a victim of a dangerous dog.

(3) Permanently identify the dangerous dog by having a microchip implanted in the dangerous dog. The microchip shall be implanted by a properly licensed doctor of veterinary medicine, and the

costs shall be borne by the owner or keeper of the dangerous dog. The owner or keeper of the dangerous dog and the veterinarian implanting the microchip shall sign a form, developed by the department, verifying the dangerous dog has had a microchip implanted and setting forth the microchip number.

(4) Have the dangerous dog spayed or neutered. The spaying or neutering shall be done by a properly licensed doctor of veterinary medicine, and the costs shall be borne by the owner or keeper of the dangerous dog. The owner or keeper of the dangerous dog and the veterinarian performing the spaying or neutering shall sign a form, developed by the department, verifying the dangerous dog has been spayed or neutered.

(5) Obtain:

(i) a surety bond in the amount of \$50,000 issued by an insurer authorized to do business within this Commonwealth, payable to any person injured by the dangerous dog; or

(ii) a policy of liability insurance, such as homeowner's insurance, issued by an insurer authorized to do business within this Commonwealth in the amount of at least \$50,000, insuring the owner for any personal injuries inflicted by the dangerous dog. The policy shall contain a provision requiring the secretary to be named as additional insured for the sole purpose of being notified by the insurance company of cancellation, termination or expiration of the liability insurance policy.

(b) Registration fee.--The registration fee for a dangerous dog certificate shall be \$1,000 per calendar year for the life of the dog plus an additional amount set by the department as may be necessary to cover the costs of issuing this registration and enforcing this section. This registration fee shall be in addition to any other fees collectable under this act and shall be credited to the Dog Law Restricted Account for the purpose of administering and enforcing this act. ((b) amended Oct. 23, 2023, P.L.114, No.18)

(c) Uniform identifiable symbol.--The department shall have the authority to establish a uniform identifiable symbol for visual recognition of dangerous dogs.

(d) Other requirements.--The owner or keeper of a dangerous dog shall:

(1) The owner shall maintain and not voluntarily cancel the liability insurance required by this section during the period for which licensing is sought unless the owner ceases to own the dangerous dog prior to expiration of the license.

(2) The owner or keeper shall notify the Bureau of Dog Law Enforcement, the State dog warden and the local police department within 24 hours if a dangerous dog is on the loose, is unconfined, has attacked another animal, has attacked a human being, has died or has been sold or donated. If the dangerous dog has been sold or donated, the owner shall also provide the Bureau of Dog Law Enforcement and the State dog warden with the name, address and telephone number of the new owner or new address of the dangerous dog.

(3) The new owner or keeper of the dangerous dog shall be required to comply with all of the provisions of this act and regulations pertaining to a dangerous dog.

(503-A amended Oct. 9, 2008, P.L.1450, No.119)

#### **Section 504-A. Control of dangerous dogs.**

It is unlawful for an owner or keeper of a dangerous dog to permit the dog to be outside the proper enclosure unless the dog is muzzled and restrained by a substantial chain or leash and under physical restraint of a responsible person. The muzzle shall be made in a manner that will not cause injury to the dog or interfere with its vision or respiration but shall prevent it from biting any person or animal or from destroying property with its teeth.

(504-A amended Oct. 9, 2008, P.L.1450, No.119)

#### **Section 505-A. Public safety and penalties.**

(a) Failure to register and restrain.--The owner or keeper of a dangerous dog who violates any of the following provisions on the first occurrence commits a misdemeanor of the third degree if:

(1) The dangerous dog is not validly registered under this act.

(2) The owner or keeper of the dangerous dog fails to comply with the provisions of section 503-A or 504-A.

(3) The dangerous dog is not maintained in the proper enclosure.

(4) The dangerous dog is outside of the dwelling of the owner or keeper or outside of the proper enclosure and not under physical restraint of the responsible person.

(5) The dog is outside the dwelling of the owner without a muzzle, regardless of whether the dog is physically restrained by a leash.

(6) The dog is outside the dwelling of the owner or a proper enclosure without a muzzle and unsupervised, regardless of whether the dog is physically restrained by a leash.

(a.1) Subsequent violations.--The owner or keeper of a dangerous dog who commits a subsequent violation under subsection (a) commits a misdemeanor of the second degree and, upon conviction, shall pay a fine not to exceed \$5,000, plus the costs of quarantine, kennel charges and destruction of the dangerous dog. A seizure and destruction order shall be issued, and the dangerous dog shall be forfeited immediately by the owner or keeper to a dog warden or police officer and shall be placed in a kennel or, if necessary, quarantined for a length of time to be determined by the department. After a period of ten days, if no appeal of the seizure and destruction order has been filed and the necessary quarantine period has elapsed, the dangerous dog shall be destroyed humanely in an expeditious manner. If an appeal of the seizure and destruction order is filed, the dangerous dog shall remain confined at the owner's or keeper's expense until the proceedings are completed.

(a.2) Utilization of fines.--All fines collected under this section shall be deposited into the Dog Law Restricted Account and may be utilized to pay the expenses of the department in administering its duties under this act.

(a.3) Collection.--In cases of inability to collect the fine assessed or failure of any person to pay all or a portion of the fine, the secretary may refer the matter to the Office of Attorney General, which shall institute an action in the appropriate court to recover the fine.

(b) Attacks by dangerous dog.--If a dangerous dog, through the intentional, reckless or negligent conduct of the dog's owner or keeper, attacks a person or a domestic animal, dog or cat, the dog's owner or keeper shall be guilty of a misdemeanor of the second degree. In addition, a seizure and destruction order shall be issued and the dangerous dog shall be immediately seized by a dog warden or police officer and placed in quarantine for a length of time to be determined by the department. After a period of ten days, if no appeal of the seizure and destruction order has been filed by the owner or keeper of the dangerous dog, and after the quarantine period has expired, the dangerous dog shall be humanely destroyed in an expeditious manner, with costs of kenneling, quarantine and destruction to be borne by the dog's owner or keeper. If an appeal of the seizure and destruction order is filed, the dangerous dog shall remain confined at the owner's or keeper's expense until the proceedings are completed and, if found guilty of the cited offense, the dangerous dog shall thereafter be humanely destroyed in an expeditious manner, with costs of kenneling, quarantine and destruction to be borne by the dog's owner or keeper.

(c) Attacks causing severe injury or death.--The owner or keeper of any dog that, through the intentional, reckless or negligent conduct of the dog's owner or keeper, aggressively attacks and causes severe injury or death of any human shall be guilty of a misdemeanor of the first degree. In addition, a seizure and destruction order shall be issued and the dog shall be immediately confiscated by a State dog warden or a police officer and placed in quarantine for a length of time to be determined by the department. After a period of ten days, if no appeal of the seizure and destruction order has been filed by the owner or keeper of the dangerous dog, and after the quarantine period has expired, the dangerous dog shall be humanely destroyed in an expeditious manner, with costs of kenneling, quarantine and destruction to be borne by the dog's owner or keeper. If an appeal of the seizure and destruction order is filed, the dangerous dog shall remain confined at the owner's or keeper's expense until the proceedings are completed and, if found guilty of the cited offense, the dangerous dog shall be

humanely destroyed in an expeditious manner, with costs of kenneling, quarantine and destruction to be borne by the dog's owner or keeper.

(c.1) Appeal of seizure and destruction order.--

(1) The owner or keeper of a dangerous dog may appeal a seizure and destruction order issued under subsections (a.1), (b) or (c) by filing an appeal within ten days of receipt of the seizure and destruction order. The owner or keeper of the dangerous dog shall be responsible for all costs of kenneling and quarantine of the dangerous dog throughout the pendency of the appeal.

(2) An appeal may not be granted unless the owner or keeper includes with the request for an appeal a copy of a written agreement with a licensed kennel where the dangerous dog will be kept during the appeal proceedings.

(3) If at any time during the appeal proceedings the owner or keeper of the dangerous dog fails to make payments to the kennel where the dangerous dog is kept, or if for any reason the owner or keeper of the dangerous dog is unable to find a licensed kennel to keep the dog, the dangerous dog shall be humanely destroyed in an expeditious manner, with costs of kenneling, quarantine and destruction to be borne by the dog's owner or keeper.

(4) The department shall not be liable for any costs of kenneling, quarantine or destruction of the dangerous dog.

(d) Dog owned by a minor.--If the owner of the dangerous dog is a minor, the parent or guardian of the minor shall be liable for injuries and property damages caused by an unprovoked attack by the dangerous dog under section 4 of the former act of July 27, 1967 (P.L.186, No.58), entitled "An act imposing liability upon parents for personal injury, or theft, destruction, or loss of property caused by the willful, tortious acts of children under eighteen years of age, setting forth limitations, and providing procedure for recovery."

(e) Mandatory reporting.--

(1) All known incidents of dog attacks shall be reported to the State dog warden, who shall investigate each incident and notify the department if a dog has been determined to be dangerous.

(2) A State dog warden or police officer who has knowledge of a dog which has attacked a person shall file a written report summarizing the circumstances of the attack with the police in the municipality where the owner of the dog resides or if the attack occurred outside the owner's municipality of residence, with the police having jurisdiction in the municipality where the attack occurred. The report shall be available for public inspection.

(505-A amended Oct. 23, 2023, P.L.114, No.18)

#### **Section 506-A. State registry.**

The department shall promulgate regulations for the establishment of a State registry for dangerous dogs.

(506-A added May 31, 1990, P.L.213, No.46)

#### **Section 507-A. Construction of article.**

(a) Enforcement.--This article shall be enforced by all municipalities except counties.

(b) Abusive or unlawful conduct of victim.--This article shall not apply if the threat, injury or damage was sustained by a person who, at the time, was committing a willful trespass or other tort upon the premises occupied by the owner of the dog, or was tormenting, abusing or assaulting the dog or has, in the past, been observed or reported to have tormented, abused or assaulted the dog, or was committing or attempting to commit a crime.

(c) Local ordinances.-- Those provisions of local ordinances relating to dangerous dogs are hereby abrogated. A local ordinance otherwise dealing with dogs may not prohibit or otherwise limit a specific breed of dog.

(d) Insurance coverage discrimination.--No liability policy or surety bond issued pursuant to this act or any other act may prohibit coverage from any specific breed of dog.

(e) Farm dogs.--No farmer who owns a dog kept on the farm shall be guilty of keeping a dangerous dog if:

- (1) the dog does not leave the farm property to attack; and
- (2) the farm is conspicuously posted alerting visitors to the presence of a watch or guard dog at all points of ingress and egress.

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

(1) A person who has been attacked by a dog, or anyone on behalf of such person, or a person whose domestic animal, dog or cat has been killed or injured without provocation while the attacking dog was off the owner's property or a police officer or an animal control officer employed by or under contract with the city may make a complaint before a magisterial district judge, charging the owner or keeper of such a dog with harboring a dangerous dog. The magisterial district judge shall make a report of the determination under section 502-A(a.2) to the police or an animal control officer employed by or under contract with the city and to the Bureau of Dog Law Enforcement. The Bureau of Dog Law Enforcement shall give notice of this determination to the respective city treasurer. ((1) amended Oct. 23, 2023, P.L.114, No.18)

(2) All fees and fines shall be paid to and retained by the city treasurers, who shall issue the certificate of registration.

(3) Enforcement of this article in these cities will be under the jurisdiction of the local police or an animal control officer employed by or under contract with the city with notification requirements in section 503-A(d)(2) to be made to the licensing authority and the local police or an animal control officer employed by or under contract with the city.

(4) Copies of all dangerous dog determinations, certificates and reports on the status of the dangerous dog shall be sent to the Bureau of Dog Law Enforcement.

(5) All known incidents of dog attacks shall be reported to the department for the purpose of keeping bite statistic records and possible rabies exposure.

(507-A added May 31, 1990, P.L.213, No.46)