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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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SENATE BILL

No. 1289 Session of  
2022

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INTRODUCED BY VOGEL, SCHWANK, BAKER, BARLOTTA, CAPPELLETTI,  
FLYNN, FONTANA, MENSCH AND YUDICHAK, JUNE 16, 2022

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REFERRED TO AGRICULTURE AND RURAL AFFAIRS, JUNE 16, 2022

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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; in licenses, tags and kennels, further  
16 providing for issuance of dog licenses, compensation, proof  
17 required, deposit of funds, records, license sales, rules and  
18 regulations, failure to comply, unlawful acts and penalty,  
19 for applications for dog licenses, fees and penalties, for  
20 kennels, providing for fee increases, further providing for  
21 requirements for kennels, for revocation or refusal of kennel  
22 licenses, for dogs temporarily in the Commonwealth and for  
23 health certificates for importation; in dangerous dogs,  
24 further providing for court proceedings, certificate of  
25 registration and disposition, for requirements, for public  
26 safety and penalties and for construction of article; in  
27 injury to dogs, further providing for selling, bartering or  
28 trading dogs; and, in enforcement and penalties, further  
29 providing for enforcement and penalties.

30 The General Assembly of the Commonwealth of Pennsylvania

31 hereby enacts as follows:

1 Section 1. The definition of "nonprofit kennel" in section  
2 102 of the act of December 7, 1982 (P.L.784, No.225), known as  
3 the Dog Law, is amended and the section is amended by adding  
4 definitions to read:

5 Section 102. Definitions.

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

9 \* \* \*

10 ["Nonprofit kennel." A kennel registered under the laws of  
11 this Commonwealth as a nonprofit entity or a nonprofit animal  
12 control kennel under sections 901 and 1002. The term shall  
13 include kennels operated by approved medical and veterinary  
14 schools and nonprofit institutions conducting medical and  
15 scientific research, which shall be required to register, but  
16 shall not be required to pay any of the license fees set by this  
17 act, and which may use their own identification tags for dogs  
18 within their kennels without being required to attach tags  
19 hereinafter prescribed while dogs are within such kennels, if  
20 approved by the secretary.]

21 \* \* \*

22 "Seller." An individual who:

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

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

26 \* \* \*

27 "Unprovoked." Action by a dog that includes biting,  
28 attacking or forcibly coming into unwanted physical contact with  
29 an individual who or domestic animal that is acting peaceably  
30 and lawfully.

1 \* \* \*

2 Section 2. Sections 200(a) and (b) and 201 of the act are  
3 amended to read:

4 Section 200. Issuance of dog licenses; compensation; proof  
5 required; deposit of funds; records; license sales;  
6 rules and regulations; failure to comply; unlawful  
7 acts; penalty.

8 (a) Issuance of dog licenses.--

9 (1) The county treasurer shall be an agent and shall  
10 process applications for dog license certificates and issue  
11 dog license certificates and tags.

12 (1.1) The county treasurer shall be permitted and may  
13 permit agents to issue vanity or collector tags that are  
14 approved by the department, in addition to the license.

15 (2) The county treasurer may authorize magisterial  
16 district judges to be agents and to process applications for  
17 dog license certificates and to issue dog license  
18 certificates and tags.

19 (3) The county treasurer may authorize other agents  
20 within the county to process dog license certificates and to  
21 issue dog license certificates and tags. At least half of the  
22 agents appointed in each county shall have hours of operation  
23 after 5 p.m. at least one weekday and shall be open at least  
24 one day of each weekend. Agents who have been appointed by  
25 their respective county treasurers under this paragraph shall  
26 meet bonding requirements as their respective county  
27 treasurers may require.

28 (4) The secretary shall have the authority, after a  
29 review of the agents appointed by a county treasurer, to  
30 appoint agents within each county to process dog license

1 certificates and to issue dog license certificates and tags.  
2 Priority shall be given to licensed doctors of veterinary  
3 medicine and kennels licensed under this act. At least half  
4 of the agents appointed in each county shall have hours of  
5 operation after 5 p.m. at least one weekday and shall be open  
6 at least one day of each weekend. Agents appointed by the  
7 secretary under this paragraph shall be required to post a  
8 bond or other security instrument in a form satisfactory to  
9 the secretary in an amount he determines. The secretary may  
10 recall the appointment of any agent at any time.

11 (5) Agents who have been appointed by their respective  
12 county treasurers prior to the effective date of this section  
13 may continue to act as agents for the county treasurers under  
14 such bonding requirements as the county treasurer may  
15 require.

16 (6) The secretary shall establish, operate and maintain,  
17 through a vendor or otherwise, a single Statewide dog  
18 licensing Internet website capable of selling dog licenses  
19 online in each county that has not implemented and made  
20 functional online dog licensing as of the effective date of  
21 this paragraph.

22 (7) The secretary shall establish, operate and maintain,  
23 through a vendor or otherwise, a single electronic Statewide  
24 dog licensing registry database, which shall be made readily  
25 accessible to all law enforcement agencies and is capable of  
26 maintaining an accurate, complete and single Statewide  
27 registry of all licensed dogs in this Commonwealth, no matter  
28 by whom or how the license was sold. In addition to the  
29 requirements under subsection (e.1), all agents and all  
30 cities of the first class, second class and second class A,

1 second class B and cities of the third class adopting their  
2 own dog licensing ordinances shall submit electronic records  
3 of all dog license sales to the registry in the manner, form  
4 and frequency prescribed by the department to ensure that  
5 accuracy and completeness of the registry is maintained at  
6 all times.

7 (b) Compensation.--

8 (1) For services rendered in collecting and paying over  
9 dog license fees, agents, for as long as they continue to act  
10 in that capacity, may collect and retain a sum equal to the  
11 cost of a postage stamp plus \$1 for each dog license sold,  
12 which amount shall be full compensation for services rendered  
13 by them under this act[.] except that, beginning on the  
14 effective date of this paragraph, the amount shall be \$3 for  
15 each lifetime license sold. The compensation shall be  
16 retained by the respective agents and shall cover, among  
17 other things, the cost of processing and issuing dog  
18 licenses, postage, mailing, returns and bonding of the  
19 agents.

20 (2) A magisterial district judge authorized by the  
21 county treasurer to process applications for dog license  
22 certificates and issue dog license certificates is not  
23 authorized to collect compensation under this subsection.

24 (3) Agents under subsection (a) (3) and (5) shall collect  
25 an additional 50¢ which shall be remitted to the county  
26 treasurer, for the use of the county, in the same manner as  
27 records are forwarded under subsection (e).

28 \* \* \*

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

30 (a) General rule.--Except as provided in subsection (b), on

1 or before January 1 of each year, the owner of any dog, three  
2 months of age or older, or upon transfer to a new owner,  
3 whichever comes first, except as hereinafter provided, shall  
4 apply to the county treasurer of his respective county or an  
5 agent under section 200(a), on a form prescribed by the  
6 department, for the appropriate license for the dog. The  
7 application and license certificate shall state the breed, sex,  
8 age, color and markings of the dog, the name, address and  
9 telephone number of the owner and the year of licensure. The  
10 application shall be accompanied by the appropriate license fee  
11 as follows:

12 [(1) For each neutered male dog and for each spayed  
13 female dog for which the certificate of a licensed doctor of  
14 veterinary medicine or the affidavit of the owner is  
15 produced, the license fee shall be \$5.]

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

18 (2.1) For all male and female dogs, the license fee  
19 shall be \$8.

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

22 [(i) For each neutered male dog and for each spayed  
23 female dog for which the certificate of a licensed doctor  
24 of veterinary medicine or the affidavit of the owner is  
25 produced, the license fee shall be \$3.]

26 (ii) For all [other] male and female dogs, the  
27 license fee shall be [~~\$5~~] \$6.

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

1 (5) All additional costs of a vanity or collector tag  
2 issued under this subsection shall be in addition to the  
3 required license fee under this section. The additional cost  
4 shall be distributed equally between the county treasurer  
5 that issued the license and the Dog Law Restricted Account. A  
6 vanity or collector tag shall not be issued without approval  
7 of the department.

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

20 [(1) For each neutered male dog and for each spayed  
21 female dog for which the certificate of a licensed doctor of  
22 veterinary medicine or the affidavit of the owner is  
23 produced, the lifetime license fee shall be \$30.]

24 [(2) For all other male and female dogs, the license fee  
25 shall be \$50.]

26 (2.1) For all male and female dogs, the license fee  
27 shall be \$80.

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

30 (i) For each [neutered male dog and for each spayed

1 female dog for which the certificate of a licensed doctor  
2 of veterinary medicine or the affidavit of the owner is  
3 produced,] male and female dog, the license fee shall be  
4 [\$20] \$50.

5 [(ii) For all other male and female dogs, the  
6 license fee shall be \$30.]

7 (4) Compensation, if collected under section 200(b),  
8 shall also be paid by all applicants, regardless of age or  
9 disability. A dog which has been issued a lifetime license  
10 prior to the effective date of this act shall not be subject  
11 to fees under this subsection.

12 (5) All additional costs of a vanity or collector tag  
13 issued under this subsection shall be charged in addition to  
14 the fees under this section. The additional cost shall be  
15 distributed equally between the county treasurer that issued  
16 the tag and the Dog Law Restricted Account. A vanity or  
17 collector tag shall not be issued without approval of the  
18 department.

19 (b.1) Proof of licensure.--A person owning or keeping a dog  
20 that is required to be licensed shall produce proof of licensure  
21 within 10 days after a police officer, State dog warden,  
22 department official or designated municipal animal control  
23 officer requests the proof.

24 (b.2) Application.--A seller of dogs at retail to a  
25 Pennsylvania resident shall provide the new dog owner with a  
26 department-issued dog license application and department-issued  
27 letter regarding dog licensing.

28 (c) Penalty.--A person who violates this section commits a  
29 summary offense and, upon conviction, shall be sentenced to pay  
30 a fine of not less than [\$50] \$100 nor more than [\$300] \$500 for



1 each unlicensed dog. Fraudulent statements, including those  
2 related to the breed of the dog, failure to pay the appropriate  
3 fee or failure to update records, including address and contact  
4 information, within 120 days of moving constitute a violation.  
5 The burden of proof shall be the same as under section 802.

6 Section 3. Section 206(a) and (b) of the act are amended and  
7 the section is amended by adding a subsection to read:

8 Section 206. Kennels.

9 (a) Applications, kennel license classifications and fees.--

10 (1) Any person who keeps or operates a kennel shall, on  
11 or before January 1 of each year, apply to the department for  
12 [a] the appropriate type and class of kennel license. Kennels  
13 shall be classified by type, and the fee for the license  
14 shall be determined by the kennel type, the number of dogs  
15 housed, kept, harbored, boarded, sheltered, sold, given away  
16 or transferred in or by the kennel during the previous year.

17 (2) A person who did not keep or operate a kennel during  
18 the previous year shall apply for the type and class of  
19 kennel the person expects to operate during the calendar  
20 year.

21 (3) A person operating a kennel who changes the type or  
22 classification of kennel due to an increase in the number of  
23 dogs housed, kept, harbored, boarded, sheltered, sold, given  
24 away or transferred in or by the kennel during any calendar  
25 year shall, within seven days of the increase, apply to the  
26 department for the appropriate type and class of kennel  
27 license.

28 (4) The application forms and kennel licenses shall be  
29 as designated by the secretary. A separate license shall be  
30 required for each type of kennel and every location at which

1 a kennel is kept or operated. A kennel license is required to  
2 keep or operate any kennel. All kennel licenses shall expire  
3 on December 31. When two or more licensed kennels are  
4 operated by the same person at the same location, each kennel  
5 shall be inspected and licensed as required by law. The total  
6 number of dogs housed, kept, harbored, boarded, sheltered,  
7 sold, given away or transferred in or by all of the kennels  
8 operated by that person at that location shall be counted to  
9 determine whether those kennels meet the definition of  
10 "commercial kennel" in section 102, in which case each kennel  
11 must apply for, and be inspected and licensed as, the  
12 appropriate Kennel Class C license.

13 (5) The kennel classes and license fees shall be as  
14 follows:

15 (i) Kennel Class I.

16 To keep or operate a private kennel, pet shop-kennel,  
17 research kennel, rescue network kennel, dealer kennel or  
18 kennel for a total of 50 dogs or less of any age during a  
19 calendar year - [~~\$75~~] \$100 per year.

20 (ii) Kennel Class II.

21 To keep or operate a private kennel, pet-shop kennel,  
22 research kennel, rescue network kennel, dealer kennel or  
23 kennel for a total of 51 to 100 dogs of any age during a  
24 calendar year - [~~\$200~~] \$250 per year.

25 (iii) Kennel Class III.

26 To keep or operate a private kennel, pet shop-kennel,  
27 research kennel, rescue network kennel, dealer kennel or  
28 kennel for a total of 101 to 150 dogs of any age during a  
29 calendar year - [~~\$300~~] \$375 per year.

30 (iv) Kennel Class IV.

1 To keep or operate a private kennel, pet shop-kennel,  
2 research kennel, rescue network kennel, dealer kennel or  
3 kennel for a total of 151 to 250 dogs of any age during a  
4 calendar year - [~~\$400~~] \$500 per year.

5 (v) Kennel Class V.

6 To keep or operate a private kennel, pet shop-kennel,  
7 research kennel, rescue network kennel, dealer kennel or  
8 kennel for a total of 251 to 500 dogs of any age during a  
9 calendar year - [~~\$500~~] \$625 per year.

10 (vi) Kennel Class VI.

11 To keep or operate a private kennel, pet shop kennel,  
12 research kennel, rescue network kennel, kennel or dealer  
13 kennel for a total of more than 500 dogs of any age  
14 during a calendar year - [~~\$750~~] \$950 per year.

15 (vii) Boarding Kennel Class I.

16 To keep or operate a boarding kennel having the  
17 capacity to accommodate a total of 1 to 10 dogs at any  
18 time during a calendar year - [~~\$100~~] \$125 per year.

19 (viii) Boarding Kennel Class II.

20 To keep or operate a boarding kennel having the  
21 capacity to accommodate a total of 11 to 25 dogs at any  
22 time during a calendar year - [~~\$150~~] \$200 per year.

23 (ix) Boarding Kennel Class III.

24 To keep or operate a boarding kennel having the  
25 capacity to accommodate 26 or more dogs at any time  
26 during a calendar year - [~~\$250~~] \$325 per year.

27 [~~Nonprofit Kennel~~

28 ~~To keep or operate a nonprofit kennel - \$25 per~~  
29 ~~year.]~~

30 (x) Kennel Class C-I.

1           To keep or operate a commercial kennel for a total of  
2           50 dogs or less of any age during a calendar year - [~~\$75~~]  
3           \$100 per year.

4           (xi) Kennel Class C-II.

5           To keep or operate a commercial kennel for a total of  
6           51 to 100 dogs of any age during a calendar year - [~~\$200~~]  
7           \$250 per year.

8           (xii) Kennel Class C-III.

9           To keep or operate a commercial kennel for a total of  
10          101 to 150 dogs of any age during a calendar year -  
11          [~~\$300~~] \$375 per year.

12          (xiii) Kennel Class C-IV.

13          To keep or operate a commercial kennel for a total of  
14          151 to 250 dogs of any age during a calendar year -  
15          [~~\$400~~] \$500 per year.

16          (xiv) Kennel Class C-V.

17          To keep or operate a commercial kennel for a total of  
18          251 to 500 dogs of any age during a calendar year -  
19          [~~\$500~~] \$625 per year.

20          (xv) Kennel Class C-VI.

21          To keep or operate a commercial kennel for a total of  
22          more than 500 dogs of any age during a calendar year -  
23          [~~\$750~~] \$950 per year.

24          (xvi) Humane Society or Society for the Prevention  
25          of Cruelty to Animals.

26          To keep or operate a humane society or Society for  
27          the Prevention of Cruelty to Animals ("SPCA") - \$35 per  
28          year.

29          (xvii) Municipal Holding Pens.

30          To keep or operate a municipal holding pen - \$35 per

1 year.

2 (xviii) Rescue Network Kennel.

3 To keep a rescue network kennel during a calendar  
4 year, the kennel class license fee is applicable to the  
5 number of dogs housed by or transferred through or at the  
6 rescue network kennel or rescue network kennel homes  
7 registered under the rescue network kennel.

8 (xix) Out-of-State Dealer Kennel Class I.

9 To keep or operate a dealer kennel for a total of 50  
10 dogs or less of any age during a calendar year - \$100 per  
11 year.

12 (xx) Out-of-State Dealer Kennel Class II.

13 To keep or operate a dealer kennel for a total of 51  
14 to 100 dogs of any age during a calendar year - \$250 per  
15 year.

16 (xxi) Out-of-State Dealer Kennel Class III.

17 To keep or operate a dealer kennel for a total of 101  
18 to 150 dogs of any age during a calendar year - \$375 per  
19 year.

20 (xxii) Out-of-State Dealer Kennel Class IV.

21 To keep or operate a dealer kennel for a total of 151  
22 to 250 dogs of any age during a calendar year - \$500 per  
23 year.

24 (xxiii) Out-of-State Dealer Kennel Class V.

25 To keep or operate a dealer kennel for a total of 251  
26 to 500 dogs of any age during a calendar year - \$625 per  
27 year.

28 (xxiv) Out-of-State Dealer Kennel Class VI.

29 To keep or operate a dealer kennel for a total of  
30 more than 500 dogs of any age during a calendar year -

1           \$950 per year.

2           (xxv) Out-of-State Dealer SPCA or humane society,  
3           municipal holding pen or rescue network kennel.

4           To keep or operate an SPCA, humane society, municipal  
5           holding pen or rescue network kennel - \$35 per year.

6           [(b) Nonprofit kennels.--A nonprofit kennel shall apply for  
7 a nonprofit kennel license. Such kennel may use its own  
8 identification tags for dogs confined therein. The secretary may  
9 approve, upon application, the removal of tags from licensed  
10 dogs confined therein. A rescue network kennel may be a  
11 nonprofit kennel if it meets the definition of nonprofit  
12 kennel.]

13       (b.1) Rescue network kennels.--

14           (1) No person shall engage in or carry on the business  
15           of a rescue network kennel unless the person is duly licensed  
16           by the department.

17           (2) An application for a rescue network kennel must be  
18           made on a form furnished by the department. The form shall  
19           contain such information as the department may reasonably  
20           require to determine the applicant's identity, competency and  
21           eligibility.

22           (3) A person that applies for or holds a rescue network  
23           kennel license shall register the location of any home where  
24           dogs are kept on behalf of the rescue network kennel. The  
25           rescue network kennel home shall be subject to the records  
26           requirement under sections 207(c) and 214. The rescue network  
27           kennel shall pay an additional fee of \$25 for each home  
28           registered. Any home registered under this paragraph shall be  
29           known as a rescue network home.

30       \* \* \*

1 Section 4. The act is amended by adding a section to read:

2 Section 206.1. Fee increases.

3 (a) General rule.--Beginning January 1, 2027, the secretary  
4 may increase the license fees contained in sections 201 and 206  
5 by the percentage change in the Consumer Price Index for All  
6 Urban Consumers for the Pennsylvania, New Jersey, Delaware and  
7 Maryland area reported by the Bureau of Labor Statistics for the  
8 12-month period ending September 30, 2027, and for each  
9 successive 12-month period.

10 (b) Publication.--The Department of Agriculture shall  
11 transmit notice to the Legislative Reference Bureau for  
12 publication in the Pennsylvania Bulletin prior to January 1 of  
13 each calendar year for which the secretary determines it is  
14 necessary to increase the fees by the annual percentage change  
15 determined under subsection (a).

16 Section 5. Sections 207(a.1), (a.2)(1), (c.1), (e) and (g),  
17 211(a) introductory paragraph, 212, 214, 502-A, 503-A(b), 505-A,  
18 507-A(f)(1), 603(b) and 903(b)(1) and (2) of the act are amended  
19 to read:

20 Section 207. Requirements for kennels.

21 (a.1) Prohibition to operate; injunction; fines.--

22 (1) It shall be unlawful for kennels described under  
23 section 206 to operate without first obtaining a kennel  
24 license from the department.

25 (2) The secretary shall not approve any kennel license  
26 application unless such kennel has been inspected and  
27 approved by a State dog warden or employee of the department.

28 (3) The secretary may file a suit in equity in the  
29 Commonwealth Court to enjoin the operation of any kennel that  
30 violates any of the provisions of this act.

1 (4) It shall be no defense to any civil penalty or  
2 criminal prosecution under this act that a person operating a  
3 kennel failed to properly obtain the appropriate type and  
4 class of license.

5 (5) A kennel operator that is applying for a different  
6 type or class of license because of an increase in the total  
7 number of dogs or due to birth of additional dogs housed,  
8 kept, harbored, boarded, sheltered, sold, given away or  
9 transferred in or by the kennel during a calendar year shall  
10 not be in violation, provided the application is filed within  
11 seven days of the increase.

12 (6) A person who is required to file for a Kennel Class  
13 C license pursuant to this subsection and has complied with  
14 paragraph (5) shall have an additional 120 days from the date  
15 of filing of the Kennel Class C license application to come  
16 into compliance with the additional requirements for Kennel  
17 Class C license holders. The secretary may grant an extension  
18 of time for a person to come into compliance with the Kennel  
19 Class C requirements if the secretary determines the person  
20 is making a good-faith effort to comply with the requirements  
21 and makes a showing of reasonable expectation that compliance  
22 can be achieved through the granting of an extension. A  
23 person who has not complied with paragraph (5) may be  
24 assessed a civil penalty under subsection (a.2), in addition  
25 to any penalty under section 903, against an unlicensed  
26 kennel of not less than \$1,000 nor more than \$5,000 each day  
27 an unlicensed kennel operates in violation of paragraph (5).  
28 The penalty shall be premised on the gravity and willfulness  
29 of the violation, the potential harm to the health and safety  
30 of the animals and the public, previous violations and the



1 economic benefit to the violator for failing to comply with  
2 this act.

3 (7) A person who operates a kennel without first  
4 obtaining the appropriate type and class of kennel license  
5 from the department commits a misdemeanor of the third  
6 degree.

7 (a.2) Civil penalties and remedies.--The following shall  
8 apply to civil penalties and remedies for unlicensed kennels:

9 (1) In addition to proceeding under any other remedy  
10 available at law or in equity for a violation of a provision  
11 of this act or a rule or regulation adopted or order issued  
12 under this act, the secretary may assess a civil penalty, in  
13 addition to any penalty under section 903(c), against an  
14 unlicensed kennel of not less than [~~\$500~~] \$1,000 nor more  
15 than [~~\$1,000~~] \$5,000 for each day it operates in violation of  
16 this act. The penalty shall be premised on the gravity and  
17 willfulness of the violation, the potential harm to the  
18 health and safety of the animals and the public, previous  
19 violations and the economic benefit to the violator for  
20 failing to comply with this act.

21 \* \* \*

22 (c.1) [~~Nonprofit kennels.--All nonprofit kennels~~] Humane  
23 societies and societies for the prevention of cruelty to  
24 animals.--All humane societies and societies for the prevention  
25 of cruelty to animals shall be required to keep all records  
26 required to be kept under this section, except that, in the case  
27 of a dog running at large, it shall not be a violation of  
28 subsection (c) (3) or (4) for the [~~nonprofit kennel~~] humane  
29 society and society for the prevention of cruelty to animals to  
30 list only the location from which a dog was retrieved if the

1 information required to be maintained under subsection (c) (3)  
2 and (4) is unknown and not available to the [nonprofit kennel]  
3 humane society and society for the prevention of cruelty to  
4 animals.

5 \* \* \*

6 (e) Display of kennel license.--The following shall apply:

7 (1) A person operating a kennel required to be licensed  
8 under this act shall display, in a place conspicuous to  
9 persons authorized to enter, a current and valid kennel  
10 license certificate issued by the department. The kennel  
11 license certificate shall show all of the following:

12 (i) The year for which it was issued.

13 (ii) The kennel class and type.

14 (iii) The number of dogs allowed to be housed in  
15 that class of kennel per calendar year.

16 (iv) The name and location of the source of the dogs  
17 shall be posted conspicuously on all enclosures for all  
18 kennels.

19 (1.1) An individual required to possess a Federal, State  
20 or local license to sell or offer for sale a dog shall  
21 prominently include the individual's name and address as  
22 registered with the licensing agency and each applicable  
23 Federal, State or local license number in the text of an  
24 advertisement offer for the sale of a dog by the individual  
25 through a newspaper, posting, the mail, an Internet website  
26 or another form of media placed by the individual or anyone  
27 acting on the individual's behalf. For puppies under four  
28 months of age, the kennel license certificate must include  
29 the license number of the dam from which the puppy was born,  
30 excluding situations involving humane society and society for

1 the prevention of cruelty to animals where the dam  
2 information is unknown.

3 (1.2) An individual who violates subsection (a) shall be  
4 subject to a civil penalty of \$100 for each advertisement  
5 offer.

6 (2) Rescue network kennel homes associated with a dealer  
7 or rescue kennel network shall display a copy of the dealer's  
8 or the rescue kennel network's kennel license.

9 (3) If the secretary revokes or denies a kennel license,  
10 the department shall issue a notice of revocation or denial.  
11 The notice shall be posted in a place conspicuous to persons  
12 authorized to enter and approved by the department for a  
13 period of time as provided in this subsection. In the case of  
14 a revocation or denial of a kennel license, the kennel shall  
15 display the notice of revocation or denial until such time as  
16 the kennel has ceased to operate or as the department  
17 determines and sets forth in the order. In the case of an  
18 appeal of revocation or denial, the notice of revocation or  
19 denial shall remain posted until the final disposition of  
20 appeal or the department has reissued a valid kennel license.

21 (4) If the secretary finds a kennel operating without a  
22 license, the kennel, upon notice of violation or order, shall  
23 display a notice of violation issued by the department. The  
24 notice shall be posted in a place conspicuous to persons  
25 authorized to enter and approved by the department until the  
26 time as the kennel has ceased to operate or as the department  
27 determines and sets forth in the order or until such time as  
28 the kennel has come into compliance and the secretary has  
29 issued a valid kennel license.

30 (5) Failure to display a current and valid kennel

1 license certificate or a notice of revocation, suspension or  
2 denial as provided in this subsection constitutes a violation  
3 of this act.

4 \* \* \*

5 (g) Additional requirements for boarding kennels, [nonprofit  
6 kennels] humane societies or societies for the prevention of  
7 cruelty to animals and Kennel Class I through VI license  
8 holders.--The following shall apply to boarding kennels,  
9 [nonprofit kennels] humane societies or societies for the  
10 prevention of cruelty to animals and Kennel Class I through VI  
11 license holders:

12 (1) Kennels under this subsection must develop and  
13 follow an appropriate plan to provide dogs with the  
14 opportunity for exercise. The plan shall be approved by a  
15 veterinarian.

16 (2) All kennels for dogs shall be equipped with smoke  
17 alarms or fire extinguishers. Housing facilities shall be  
18 equipped with fire extinguishers on the premises. An indoor  
19 housing facility may have a sprinkler system.

20 \* \* \*

21 Section 211. Revocation or refusal of kennel licenses.

22 (a) General powers of secretary.--The secretary shall revoke  
23 a kennel license, dealer license or out-of-state dealer license  
24 if a licensee is convicted of a violation of 18 Pa.C.S. [§ 5511]  
25 Ch. 55 Subch. B (relating to cruelty to animals), which caused  
26 injury or placed any animal at imminent risk of injury, or of  
27 substantially similar conduct pursuant to a cruelty law of  
28 another state. The secretary shall not issue a kennel license,  
29 dealer license or out-of-state dealer license to a person that  
30 has been convicted of a violation of 18 Pa.C.S. [§ 5511] Ch. 55

1 Subch. B, which caused injury or placed any animal at imminent  
2 risk of injury, within the last ten years. The secretary may  
3 revoke or refuse to issue a kennel license, dealer license or  
4 out-of-state dealer license for any one or more of the following  
5 reasons:

6 \* \* \*

7 Section 212. Dogs temporarily in the Commonwealth.

8 (a) General rule.--Any person may bring, or cause to be  
9 brought into the State, for a period of 30 days, one or more  
10 dogs for show, trial, or breeding purposes or as a household pet  
11 without securing a Pennsylvania license, and any person holding  
12 a Pennsylvania nonresident hunting license may, without securing  
13 a license or licenses therefor, bring or cause to be brought  
14 into the State one or more dogs for the purpose of hunting game  
15 during any hunting season when hunting with dogs is permitted by  
16 law, if a similar exemption from the necessity of securing dog  
17 licenses is afforded for hunting purposes to residents of  
18 Pennsylvania by the state of such person's residence; but each  
19 dog shall be equipped with a collar bearing a name plate giving  
20 the name and address of the owner.

21 (b) Applicability.--This section shall not apply to a dog  
22 coming into a kennel.

23 Section 214. Health certificates for importation.

24 (a) Requirements.--It shall be a violation of this act to  
25 transport any dog into this Commonwealth except under the  
26 provisions in section 212 without a certificate of health  
27 prepared by a licensed doctor of veterinary medicine, which  
28 certificate, or copy of such, shall accompany the dog while in  
29 this Commonwealth. The certificate shall state that the dog is  
30 at least eight weeks of age and shows no signs or symptoms of

1 infectious or communicable disease; did not originate within an  
2 area under quarantine for rabies; and, as ascertained by  
3 reasonable investigation, has not been exposed to rabies within  
4 100 days of importation.

5 (b) Vaccinations.--All dogs must have been vaccinated for  
6 rabies in accordance with the act of December 15, 1986  
7 (P.L.1610, No.181), known as the "Rabies Prevention and Control  
8 in Domestic Animals and Wildlife Act." The name of the vaccine  
9 manufacturer, the date of administration, and the rabies tag  
10 number must appear on health certificates prepared by a licensed  
11 doctor of veterinary medicine.

12 (c) Boarding kennels.--The owner or operator of a boarding  
13 kennel shall require the owner of each out-of-state dog for  
14 which the boarding kennel is taking control to provide proof of  
15 an up-to-date health certificate at the time the dog enters the  
16 boarding kennel. The proof-of-health certificate shall be kept  
17 on file at the boarding kennel for seven days following the  
18 dog's departure from the boarding kennel.

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

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

1 been proven:

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

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

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

8 (iii) Attacked a human being without provocation.

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

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

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

13 (ii) A propensity to attack human beings and/or  
14 domestic animals, dogs or cats without provocation. A  
15 propensity to attack may be proven by a single incident  
16 of the conduct described in paragraph (1) (i), (ii), (iii)  
17 or (iv).

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

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

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

24 (1) Any person who has been attacked by one or more  
25 dogs, including the person's legal guardian or personal  
26 representative, a person whose domestic animal, dog or cat  
27 has been killed or injured by an unprovoked attack, the State  
28 dog warden or the local police officer may file a complaint  
29 before a magisterial district judge, charging the owner or  
30 keeper of the dog with harboring a dangerous dog.

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

5           (i) Inflicted severe injury on a human being  
6 unprovoked on public or private property.

7           (ii) Killed or inflicted severe injury on a domestic  
8 animal, dog or cat unprovoked while off the owner's  
9 property or has a propensity or history of attacks if the  
10 dog kills or inflicts severe injury on a domestic animal  
11 while on the owner's property unprovoked. A propensity to  
12 kill or inflict severe injury may be proven by a single  
13 incident.

14           (iii) Attacked a human being unprovoked and has a  
15 history or propensity of attacking human beings or  
16 domestic animals, dogs or cats unprovoked. A propensity  
17 to attack may be proven by a single incident.

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

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

28           (b) Report of conviction.--The magisterial district judge  
29 shall make a report of a conviction under subsection [(a)] (a.2)  
30 to the Bureau of Dog Law Enforcement, identifying the convicted



1 party, identifying and describing the dog or dogs and providing  
2 other information as the bureau might reasonably require.

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

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

24 Section 503-A. Requirements.

25 \* \* \*

26 (b) Registration fee.--The registration fee for a dangerous  
27 dog certificate shall be [~~\$500~~] \$1,000 per calendar year for the  
28 life of the dog plus an additional amount set by the department  
29 as may be necessary to cover the costs of issuing this  
30 registration and enforcing this section. This registration fee

1 shall be in addition to any other fees collectable under this  
2 act and shall be credited to the Dog Law Restricted Account for  
3 the purpose of administering and enforcing this act.

4 \* \* \*

5 Section 505-A. Public safety and penalties.

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

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

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

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

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

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

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

26 (a.1) Subsequent violations.--The owner or keeper of a  
27 dangerous dog who commits a subsequent violation under  
28 subsection (a) commits a misdemeanor of the second degree and,  
29 upon conviction, shall pay a fine not to exceed \$5,000, plus the  
30 costs of quarantine, kennel charges and destruction of the

1 dangerous dog. [The] A seizure and destruction order shall be  
2 issued, and the dangerous dog shall be forfeited immediately by  
3 the owner or keeper to a dog warden or police officer and shall  
4 be placed in a kennel or, if necessary, quarantined for a length  
5 of time to be determined by the department. After a period of  
6 ten days, if no appeal of the seizure and destruction order has  
7 been filed and the necessary quarantine period has elapsed, the  
8 dangerous dog shall be destroyed humanely in an expeditious  
9 manner. If an appeal of the seizure and destruction order is  
10 filed, the dangerous dog shall remain confined at the owner's or  
11 keeper's expense until the proceedings are completed.

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

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

21 (b) Attacks by dangerous dog.--If a dangerous dog, through  
22 the intentional, reckless or negligent conduct of the dog's  
23 owner or keeper, attacks a person or a domestic animal, dog or  
24 cat, the dog's owner or keeper shall be guilty of a misdemeanor  
25 of the second degree. In addition, a seizure and destruction  
26 order shall be issued and the dangerous dog shall be immediately  
27 seized by a dog warden or police officer and placed in  
28 quarantine for a length of time to be determined by the  
29 department. After a period of ten days, if no appeal of the  
30 seizure and destruction order has been filed by the owner or

1 keeper of the dangerous dog, and after the quarantine period has  
2 expired, the dangerous dog shall be humanely destroyed in an  
3 expeditious manner, with costs of kenneling, quarantine and  
4 destruction to be borne by the dog's owner or keeper. If an  
5 appeal of the seizure and destruction order is filed, the  
6 dangerous dog shall remain confined at the owner's or keeper's  
7 expense until the proceedings are completed and, if found guilty  
8 of the cited offense, the dangerous dog shall thereafter be  
9 humanely destroyed in an expeditious manner, with costs of  
10 kenneling, quarantine and destruction to be borne by the dog's  
11 owner or keeper.

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

1 of kenneling, quarantine and destruction to be borne by the  
2 dog's owner or keeper.

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

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

11 (2) No appeal will be granted unless the owner or keeper  
12 includes with the request for an appeal a copy of a written  
13 agreement with a licensed kennel where the dangerous dog will  
14 be kept during the appeal proceedings.

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

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

25 (d) Dog owned by a minor.--If the owner of the dangerous dog  
26 is a minor, the parent or guardian of the minor shall be liable  
27 for injuries and property damages caused by an unprovoked attack  
28 by the dangerous dog under section 4 of the former act of July  
29 27, 1967 (P.L.186, No.58), entitled "An act imposing liability  
30 upon parents for personal injury, or theft, destruction, or loss

1 of property caused by the willful, tortious acts of children  
2 under eighteen years of age, setting forth limitations, and  
3 providing procedure for recovery."

4 (e) Mandatory reporting.--

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

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

17 Section 507-A. Construction of article.

18 \* \* \*

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

22 (1) A person who has been attacked by a dog, or anyone  
23 on behalf of such person, or a person whose domestic animal,  
24 dog or cat has been killed or injured without provocation  
25 while the attacking dog was off the owner's property or a  
26 police officer or an animal control officer employed by or  
27 under contract with the city may make a complaint before a  
28 magisterial district judge, charging the owner or keeper of  
29 such a dog with harboring a dangerous dog. The magisterial  
30 district judge shall make a report of the determination under

1 section [502-A(a)] 502-A(a.2) to the police or an animal  
2 control officer employed by or under contract with the city  
3 and to the Bureau of Dog Law Enforcement. The Bureau of Dog  
4 Law Enforcement shall give notice of this determination to  
5 the respective city treasurer.

6 \* \* \*

7 Section 603. Selling, bartering or trading dogs.

8 \* \* \*

9 (b) Illegal to transfer ownership of certain puppies.--It  
10 shall be unlawful to barter, trade, raffle, sell, auction or in  
11 any way transfer ownership of a dog under eight weeks of age,  
12 unless the dog has been orphaned and it becomes necessary to  
13 transfer ownership of the orphaned dog to a [nonprofit kennel]  
14 humane society or society for the prevention of cruelty to  
15 animals, or from a [nonprofit kennel] humane society or society  
16 for the prevention of cruelty to animals with approval by a  
17 licensed doctor of veterinary medicine.

18 \* \* \*

19 Section 903. Enforcement and penalties.

20 \* \* \*

21 (b) Criminal penalties.--Unless otherwise provided under  
22 this act, a person who violates a provision of Articles II  
23 through VII or a rule or regulation adopted or order issued  
24 under this act commits the following:

25 (1) For the first offense, a summary offense and shall,  
26 upon conviction, be sentenced for each offense to pay a fine  
27 of not less than [ \$100 ] \$500 nor more than [ \$500 ] \$1,000 or  
28 to imprisonment for not more than 90 days, or both.

29 (2) For a subsequent offense that occurs within one year  
30 of sentencing for the prior violation, a misdemeanor of the

1       third degree and shall, upon conviction, be sentenced for  
2       each offense to pay a fine of not less than [~~\$500~~] \$1,000 nor  
3       more than [~~\$1,000~~] \$5,000 plus costs of prosecution or to  
4       imprisonment of not more than one year, or both.

5               \* \* \*

6       Section 6. This act shall take effect in 90 days.