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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FIRST SESSION

H. F. No. 297

01/24/2019 Authored by Runbeck and Her  
The bill was read for the first time and referred to the Committee on Ways and Means

1.1 A bill for an act  
1.2 relating to public safety; creating a statewide dangerous dog database; requiring  
1.3 animal control authorities to implant microchips in some dangerous and potentially  
1.4 dangerous dogs; amending Minnesota Statutes 2018, sections 13.6905, by adding  
1.5 a subdivision; 347.51, subdivision 2, by adding a subdivision; 347.515; proposing  
1.6 coding for new law in Minnesota Statutes, chapter 347.

1.7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.8 Section 1. Minnesota Statutes 2018, section 13.6905, is amended by adding a subdivision  
1.9 to read:

1.10 Subd. 3a. **Dangerous dog database data.** Access to data maintained in the dangerous  
1.11 dog database is governed by section 347.513.

1.12 Sec. 2. Minnesota Statutes 2018, section 347.51, subdivision 2, is amended to read:

1.13 Subd. 2. **Registration.** (a) An animal control authority shall issue a certificate of  
1.14 registration to the owner of a dangerous dog if the owner presents sufficient evidence that:

1.15 (1) a proper enclosure exists for the dangerous dog and a posting on the premises with  
1.16 a clearly visible warning sign that there is a dangerous dog on the property, including a  
1.17 warning symbol to inform children;

1.18 (2) a surety bond issued by a surety company authorized to conduct business in this state  
1.19 in a form acceptable to the animal control authority in the sum of at least \$300,000, payable  
1.20 to any person injured by the dangerous dog, or a policy of liability insurance issued by an  
1.21 insurance company authorized to conduct business in this state in the amount of at least  
1.22 \$300,000, insuring the owner for any personal injuries inflicted by the dangerous dog;

2.1 (3) the owner has paid an annual fee of not more than \$500, in addition to any regular  
2.2 dog licensing fees, to obtain a certificate of registration for a dangerous dog under this  
2.3 section; and

2.4 (4) the owner has had microchip identification implanted in the dangerous dog as required  
2.5 under section 347.515.

2.6 (b) If the identification number of the microchip implanted in the dangerous dog is  
2.7 identical to an identification number in the dangerous dog database maintained pursuant to  
2.8 section 347.513, the animal control authority shall verify and update the information in the  
2.9 database. If the owner seeking a certificate of registration is not the same as the owner listed  
2.10 in the database, the animal control authority shall notify the owner seeking a certificate that  
2.11 the dog was previously registered as a dangerous dog.

2.12 Sec. 3. Minnesota Statutes 2018, section 347.51, is amended by adding a subdivision to  
2.13 read:

2.14 Subd. 10. **Reporting.** (a) When an animal control authority issues a certificate of  
2.15 registration to the owner of a dangerous dog pursuant to subdivision 2, verifies the existence  
2.16 of a microchip for identification purposes in a dangerous or potentially dangerous dog, or  
2.17 implants a microchip for identification purposes into a dangerous or potentially dangerous  
2.18 dog pursuant to section 347.515, the animal control authority shall notify the commissioner  
2.19 of public safety of the following:

2.20 (1) the name and address of the owner;

2.21 (2) the name of the dog;

2.22 (3) a physical description of the dog including but not limited to the breed, color, and  
2.23 sex; and

2.24 (4) the name of the microchip manufacturer and identification number of the microchip  
2.25 implanted in the dog.

2.26 (b) In addition to the required notice under paragraph (a), an animal control authority  
2.27 must notify the commissioner of public safety when the animal control authority:

2.28 (1) rescinds a dangerous dog designation pursuant to subdivision 3a;

2.29 (2) receives notice that a dangerous dog designation has been overturned pursuant to  
2.30 section 347.541;

2.31 (3) becomes aware of the death of a dangerous dog; or

3.1 (4) becomes aware of the transfer of a dangerous dog to a new location where the dog  
 3.2 will reside.

3.3 **Sec. 4. [347.513] DANGEROUS DOG DATABASE.**

3.4 The commissioner of public safety shall develop and maintain a computerized data  
 3.5 system relating to dangerous and potentially dangerous dogs under sections 347.50 to  
 3.6 347.565. The system must include the data required to be provided under section 347.51,  
 3.7 subdivision 10. The commissioner shall maintain this data in a manner that ensures it is  
 3.8 readily available to law enforcement agencies and animal control authorities and can be  
 3.9 searched by the identification number of the microchip implanted in a dog. In developing  
 3.10 the computerized data system, the commissioner shall consult with local law enforcement  
 3.11 agencies and animal control authorities. Except as provided in section 347.51, subdivision  
 3.12 2, paragraph (b), data included in the dangerous dog database is private data on individuals  
 3.13 under section 13.02, subdivision 12, but may be used by a law enforcement agency or an  
 3.14 animal control authority for law enforcement or animal control purposes.

3.15 Sec. 5. Minnesota Statutes 2018, section 347.515, is amended to read:

3.16 **347.515 MICROCHIP IDENTIFICATION.**

3.17 The owner of a dangerous or potentially dangerous dog must have a microchip implanted  
 3.18 in the dog for identification, and the name of the microchip manufacturer and identification  
 3.19 number of the microchip must be provided to, and verified by, the animal control authority.  
 3.20 If the microchip is not implanted by the owner, it may be implanted by the animal control  
 3.21 authority. ~~In either case,~~ Notwithstanding any law to the contrary, if a dangerous or  
 3.22 potentially dangerous dog is in the custody of an animal control authority for any reason  
 3.23 and does not have a microchip implanted for identification purposes, the animal control  
 3.24 authority shall implant such a microchip before releasing the dog to an owner. All costs  
 3.25 related to the purchase and implantation of the a microchip under this section must be borne  
 3.26 by the dog's owner.