

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2169 Session of
2018

INTRODUCED BY KAMPF, DAVIS, EVERETT, HEFFLEY, KORTZ, MILLARD AND
READSHAW, APRIL 24, 2018

REFERRED TO COMMITTEE ON AGRICULTURE AND RURAL AFFAIRS,
APRIL 24, 2018

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 dangerous dogs, providing for public safety and
15 control.

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

18 Section 1. The act of December 7, 1982 (P.L.784, No.225),
19 known as the Dog Law, is amended by adding a section to read:

20 Section 505.1-A. Public safety and control.

21 (a) Notice of action.--The following apply:

22 (1) Notwithstanding section 505-A, a person who has
23 suffered without provocation a severe injury by a dog who is
24 not known to have ever attacked a person, or anyone on behalf

1 of the person, may request that a State dog warden or a local
2 police officer issue a notice of action to the owner or
3 keeper of the offending dog. A notice of action shall be in
4 writing and shall set forth the conditions under which the
5 offending dog shall be maintained. The notice of action shall
6 state that the owner or keeper of the offending dog may
7 within ten days of receipt of the notice of action file an
8 appeal with the magisterial district judge.

9 (2) The notice of action shall be served by personal
10 service or by registered or certified mail, return receipt
11 requested, to the owner or keeper of the offending dog. The
12 requirements contained in the notice of action shall be
13 effective upon the expiration of the ten-day period for
14 requesting an appeal with the magisterial district judge,
15 unless a timely request for a hearing has been filed with the
16 magisterial district judge.

17 (3) The notice of action shall include all of the
18 following:

19 (i) Information sufficient to identify the owner or
20 keeper of the offending dog to whom the notice of action
21 is directed.

22 (ii) Information sufficient to identify the
23 offending dog.

24 (iii) Information sufficient to identify the person
25 who suffered the severe injury.

26 (iv) The date and time when the person suffered the
27 severe injury.

28 (v) The requirements for keeping the offending dog
29 as specified under subsection (b)(1).

30 (vi) Information on how the owner or keeper of the

1 offending dog may file an appeal with the magisterial
2 district judge.

3 (vii) A statement that the notice of action is
4 authorized under this section.

5 (b) Administrative process.--The following apply:

6 (1) If the notice of action has become effective, the
7 owner or keeper of the offending dog shall comply with one or
8 more of the following as determined by the State dog warden
9 or local police officer:

10 (i) Maintain the offending dog in a proper
11 enclosure.

12 (ii) Post a clearly visible warning sign to beware
13 of the offending dog on the premises of owner or keeper.

14 (iii) Obtain any of the following:

15 (A) A surety bond in the amount of no less than
16 \$50,000 issued by an insurer authorized to do
17 business within this Commonwealth and payable to a
18 person injured by the offending dog.

19 (B) A policy of liability insurance issued by an
20 insurer authorized to do business within this
21 Commonwealth in the amount of no less than \$50,000
22 insuring the owner or keeper of the offending dog for
23 an injury inflicted by the offending dog.

24 (iv) Keep the offending dog muzzled and restrained
25 by a substantial chain or leash and under physical
26 restraint of a responsible person when outside of a
27 proper enclosure.

28 (2) If the owner or keeper of the offending dog fails to
29 maintain the requirements set forth in the notice of action
30 under paragraph (1), a State dog warden or local police

1 officer shall file a complaint before a magisterial district
2 judge, charging the owner or keeper of the offending dog with
3 harboring a dangerous dog under section 502-A(a).

4 Section 2. This act shall take effect in 60 days.