

Overview of SB 746 PN 835, Dog Law Modernization (June 2023)

Senate Bill 746 modernizes dog licensing in Pennsylvania, strengthens penalties for violators of the Dog Law, and improves customer service, public safety, and animal welfare for all residents. Outlined below is a summary of the key provisions and background behind each change along with anticipated outcome.

Modernization and Improved Customer Service

Our desire is to make sure all Pennsylvanians have the same opportunities to easily purchase a dog license online; receive education and resources for dog licensing at point of purchase or adoption, and have all the resources they need to make informed decisions about selecting the dog that is right for them. Additionally, the Bureau will increase dog licensing compliance, and easily locate an illegal kennel operation on advertising sites.

Statewide Dog Licensing Platform: This proposal modernizes and standardizes Pennsylvania's dog licensing system which would create a statewide dog licensing platform capable of selling dog licenses online in each county which has not implemented online dog licensing. This will afford all dog owners a simple, convenient online option for licensing their pet.

Background: *Pennsylvania is home to more than three million dogs, and while residents in most counties can purchase an individual dog license online several counties do not offer online services. This fragmented system restricts individuals from purchasing a dog license online but also restricts law enforcement's efforts to quickly look up a dog license during the handling of routine calls and incidents.*

Simplifying Licenses for Dog Owners: This proposal closes the gap in the legal sell-by age for a dog (8 weeks) and the age a dog is required to be licensed (12 weeks). Additionally, to ensure dogs are licensed at point of transfer, sellers and adopters of dogs will be required to provide a new dog owner with a department-issued dog license application and department-issued letter regarding dog licensing.

Background: *Closing this gap and requiring licensure at the point of transfer or sale will standardize the dog licensing process in a way that better serves dog owners and further increase revenue for the Bureau by ensuring more dogs are properly licensed.*

Transparency in Advertising: This proposal increases public transparency by requiring kennels to possess and provide a federal, state, or local license to sell or offer for sale a dog as part of the posted information on all advertisements.

Background: *Public display of license to sell or offer for sale a dog will increase staff efficiency for the Department and will help us quickly determine if someone is running an illegal kennel.*

Display of Information: This proposal expands public awareness by requiring pet shops and kennels offering dogs for sale or adoption directly to the public to post the following: dog identifying information; where the breeder of the dog is located along with their state or federal license number; documentation of all inoculations, vaccinations, and other medical treatments; and any known bite history.

Background: *Requiring pet shops and other kennels who sell or adopt dogs directly to members of the public will help potential new owners make more informed decisions and aid in making sure a dog is better matched for a new family. Currently, there are no requirements for kennels to disclose this type of information to the public specifically, veterinary records and bite history. Non-disclosure of this magnitude has resulted in dogs getting sold or adopted only to end up in a shelter months later.*

Enhanced Public Safety and Animal Welfare Protections

Modernizing and updating the Dog Law affords us the opportunity to create better protections from dangerous dogs, and state dog wardens and police would not have to spend countless hours and days trying to find a shelter willing to hold a dangerous dog for an extended period. Pennsylvania would be taking proactive steps to prevent infectious and contagious diseases before an outbreak occurs resulting in less sick dogs, and fewer new dog owners experiencing the heartbreak of losing a pet.

Dangerous Dogs: This proposal will require all dogs on quarantine for a human exposure dog bite to be muzzled, leashed, and under physical restraint by a responsible person. The proposal makes it easier for law enforcement to make a dangerous dog determination and simplify the filing and prosecution of dangerous dog cases. The proposal removes the requirement for proving a propensity to attack which has been a point of confusion for the courts. Additionally, the proposal would include the issuance of a seizure and destruction order. If the order is appealed, it would require the dog owner to enter into a written agreement with

a licensed kennel willing to hold the dog throughout the appeal process. This would be required in situations where a dangerous dog attacks again, a dog causes severe injury or death, or the owner fails multiple times to register the dog.

Background: *Currently, there are no specific requirements for dogs on a dog bite quarantine. Law enforcement oftentimes is uncertain on how to handle irresponsible dog owners whose dogs are on a quarantine specifically in situations where no dangerous dog charges have been filed. The Dog Law governs dangerous dogs but allows considerable subjectivity in a dangerous dog determination based on propensity to attack often making it difficult for law enforcement to file the correct charge and prosecute the case. The number of dangerous dogs on the statewide dangerous dog registry has increased in part due to the rise in demand for dogs. The Department and police have had numerous cases where a dangerous dog should have been seized; however, due to not having a kennel to take and hold these dangerous dogs, they are left in the community until all court appeals have been exhausted thereby putting the communities at greater risk of incident.*

Infectious Disease Prevention: This proposal will require all kennels to have an isolation plan for imported dogs from another state or country. This proposal requires all dogs transported into Pennsylvania kennels, excluding boarding kennels, to have had an initial dose of Distemper, Adeno, Parainfluenza, Parvovirus (DAPP). These dogs will be isolated in accordance with the kennel's isolation plan and shall not be moved, sold or transferred for a period of 14 days following entry into Pennsylvania.

Background: *Currently, there are no proactive steps to prevent the spread of diseases before an outbreak occurs. The Department does place infectious and contagious disease quarantines, which continue to rise annually due to increased importation and demand for dogs. Infectious disease quarantines are a critical tool in disease control; however, they are a reactive response to a disease outbreak.*

Kennel Operators Convicted of Animal Cruelty: This proposal allows the Department to revoke a kennel's license or refuse a kennel license application for individuals convicted of animal cruelty protecting the safety and well-being of dogs.

Background: *This proposal realigns responsibilities within the Dog Law with recent changes in the animal cruelty statute following Libre's Law specifically amending the sections in the Dog Law that reference section 5511 of the animal cruelty statute. When Libre's Law passed in 2017, the animal cruelty section was changed to Ch. 55 Subch. B; however, the references in the Dog Law were not updated to reflect the change. As a result, Commonwealth Court required the Department to issue a kennel license to an individual that had pled guilty to animal cruelty.*

Mission Critical Funding

It has been nearly 30 years since dog license fees were increased in Pennsylvania. This legislation would generate an additional \$3 million in revenue that would cover the costs of the Bureau's expenses, help us improve our customer service, and increase funding dispersed to shelters for holding stray dogs. This proposal will ensure the Department not only meets its statutory obligations under the Dog Law but exceeds them through community outreach activities including dog license canvassing. Through community outreach the Department can raise public awareness of the services it provides while also increasing dog license compliance and ensuring more dogs make it home safely.

Individual Dog License Fee Increase: This proposal increases individual dog license fees gradually by \$2 for an annual license in the first year (\$7), and a subsequent increase of \$2 the following year (\$9) with a final increase of \$1 in 2027 taking the maximum fee increase to (\$10) for an annual license, and \$49 for a lifetime license (no additional increases) regardless of spay/neuter status. Seniors and persons disabled are eligible for a \$2 discount on annual licenses and a \$16 discount on lifetime licenses.

Background: *The cost of dog license fees has remained the same for 27 years, despite operational costs for the Bureau of Dog Law Enforcement increasing. Since 1996, personnel costs have doubled despite reduced staffing levels. Operating costs have increased by more than 200% as statutory requirements and responsibilities increased. An annual dog license in Pennsylvania is \$6.50 while our neighbors in New York, New Jersey, and Ohio charge \$16, \$21, and \$20 respectively.*

Kennel License Fee Increase: This proposal includes a 25% kennel license fee increase for all kennel types and classes.

Background: *Kennel license fees have not increased in 58 years, nearly 6 decades. Commercial kennels which continue to increase in numbers annually in Pennsylvania have some of the highest standards in the nation and require more resources to inspect from a personnel and equipment standpoint. Additionally, the purchase and adoption prices of dogs has increased dramatically over the last 6 decades. In 1965, the average cost of a puppy was approximately \$150 as opposed to today's average cost of \$1,000 or more.*