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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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**HOUSE BILL**

**No. 2553** Session of  
2008

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INTRODUCED BY GALLOWAY, MELIO, RAMALEY, JAMES, SAYLOR, MAHONEY,  
PARKER, GOODMAN, PASHINSKI, SIPTROTH, MOYER, BISHOP,  
REICHLEY, SWANGER, MURT AND GERBER, MAY 20, 2008

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REFERRED TO COMMITTEE ON AGRICULTURE AND RURAL AFFAIRS,  
MAY 20, 2008

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AN ACT

1 Amending the act of December 7, 1982 (P.L.784, No.225),  
2 entitled, as amended, "An act relating to dogs, regulating  
3 the keeping of dogs; providing for the licensing of dogs and  
4 kennels; providing for the protection of dogs and the  
5 detention and destruction of dogs in certain cases;  
6 regulating the sale and transportation of dogs; declaring  
7 dogs to be personal property and the subject of theft;  
8 providing for the abandonment of animals; providing for the  
9 assessment of damages done to animals; providing for payment  
10 of damages by the Commonwealth in certain cases and the  
11 liability of the owner or keeper of dogs for such damages;  
12 imposing powers and duties on certain State and local  
13 officers and employees; providing penalties; and creating a  
14 Dog Law Restricted Account," further providing for  
15 construction of article relating to dangerous dogs.

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

18 Section 1. Section 507-A of the act of December 7, 1982  
19 (P.L.784, No.225), known as the Dog Law, added May 31, 1990  
20 (P.L.213, No.46), is amended to read:

21 Section 507-A. Construction of article.

22 (a) Enforcement.--This article shall be enforced by all  
23 municipalities except counties unless otherwise provided by

1 ordinance in accordance with subsection (c).

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

10 (c) Local ordinances.-- [Those provisions of local  
11 ordinances relating to dangerous dogs are hereby abrogated. A  
12 local ordinance otherwise dealing with dogs may not prohibit or  
13 otherwise limit a specific breed of dog.] This act shall not  
14 supersede or preclude the adoption of any municipal ordinance  
15 applicable to dangerous dogs.

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

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

21 (1) the dog does not leave the farm property to attack;

22 and

23 (2) the farm is conspicuously posted alerting visitors  
24 to the presence of a watch or guard dog at all points of  
25 ingress and egress.

26 (f) Procedure in certain cities.--[In] Unless otherwise  
27 provided by ordinance in accordance with subsection (c), in  
28 cities of the first class, second class and second class A, the  
29 following procedure shall apply:

30 (1) A person who has been attacked by a dog, or anyone

1 on behalf of such person, or a person whose domestic animal  
2 has been killed or injured without provocation while the  
3 attacking dog was off the owner's property or a police  
4 officer or an animal control officer employed by or under  
5 contract with the city may make a complaint before a district  
6 justice, charging the owner or keeper of such a dog with  
7 harboring a dangerous dog. The district justice shall make a  
8 report of the determination under section 502-A(a) to the  
9 police or an animal control officer employed by or under  
10 contract with the city and to the Bureau of Dog Law  
11 Enforcement. The Bureau of Dog Law Enforcement shall give  
12 notice of this determination to the respective city  
13 treasurer.

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

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

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

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

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