
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No.

260

Session of

1961

INTRODUCED BY MESSRS. WADE, FLEMING AND HAWBAKER,
FEBRUARY 20, 1961.

REFERRED TO COMMITTEE ON STATE GOVERNMENT,
FEBRUARY 20, 1961.

AN ACT

Amending the act of May 11 1921 (P L 522) entitled as amended "An act relating to dogs and the protection of live stock poultry and game birds raised in captivity from damage by dogs providing for the licensing of dogs by the Secretary of Agriculture providing for the enumeration of dogs by assessors regulating the keeping of dogs and authorizing their destruction in certain cases providing for the protection of licensed dogs and for dogs temporarily imported for trial show and breeding purposes prescribing certain

EXPLANATION—CAPITAL LETTERS indicate new matter added to bill. Matter stricken through is to be omitted from bill. Underscoring indicates new matter added to existing law. [Brackets] indicate matter stricken from existing law.

privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners providing for the assessment of damages done to live stock poultry and game birds by dogs and for live stock killed by or dying from rabies and for the illegal killing of licensed dogs and the payment of such damages by the Commonwealth imposing powers and duties on certain state county city borough town and township officers and employes directing the payment of all moneys collected into the State Treasury and providing penalties" providing for the appointment bonding and compensation of additional agents by the Department of Revenue to facilitate the issuance of dog licenses and kennel certificates and defining their powers and duties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

1 Section 1 Sections 3 and 5 act of May 11 1921 (P L 522) known
2 as the "Dog Law of 1921" amended April 9 1929 (P L 456) are amended
3 to read

4 Section 3 (a) On or before the fifteenth day of January one thou-
5 sand nine hundred and twenty-two and on or before the fifteenth day
6 of January of each year thereafter the owner of any dog six months

1 old or over shall apply to the county treasurer of his respective county
2 or to a qualified justice of the peace alderman magistrate or notary
3 public of his respective district either orally or in writing or to the De-
4 partment of Revenue on a form prescribed by it for a license for such
5 dog owned or kept by him Such application shall state the breed sex age
6 color and marking of such dog and the name and address of the last
7 previous owner and shall be accompanied by a license fee of one dollar
8 for each male dog and for each spayed female dog for which the certifi-
9 cate of a veterinarian or the affidavit of the owner is produced and by
10 a license fee of two dollars each for all other female dogs except when
11 the license is issued by the Department of Revenue the applicant shall
12 also pay an additional fee of ten cents for the issuing recording and
13 reporting said license to the Department of Revenue and remitting fees
14 and fines to the State Treasurer through the Department of Revenue
15 [The county treasurers of the several counties of this Commonwealth
16 shall be agents of the Commonwealth for the collection of said license
17 fees unless and until the Department of Revenue shall determine with
18 the approval of the Governor to issue all of said licenses directly and for
19 services rendered in collecting and paying over the same the said agents]

1 (b) The issuance of all dog licenses or kennel certificates in lieu
2 thereof as hereinafter provided shall be under the direct supervision
3 of the Department of Revenue which unless and until it determines
4 with the approval of the Governor to issue all such licenses or certificates
5 directly shall designate as issuing agents the several county treasurers
6 and such other persons throughout the Commonwealth or otherwise as
7 request such agency and as the Department of Revenue finds essential
8 to control the lawful issuance thereof For services rendered in collecting
9 and paying over such license or certificate fees such issuing agents ex-
10 cept county treasurers shall be allowed to retain the sum of ten cents
11 from the amount paid by each licensee [which] In the case of county
12 treasurers this amount shall be paid into the county treasury except that
13 said county treasurers may retain out of said fees amounts necessary to
14 reimburse them for any expenses including the compensation of neces-
15 sary employes incurred in the collection and transmission of money for
16 the Commonwealth under the provisions of this act Provided however
17 That the number and compensation of such employes shall have been
18 approved by the Department of Revenue County Treasurers shall also
19 be entitled to retain out of fees heretofore received hereunder amounts
20 heretofore actually expended for the payment of expenses including

1 the compensation of employes actually incurred in the collection and
2 transmission of money under the provisions of this act Except as here-
3 inbefore provided all-fees heretofore retained under the provisions of
4 this act shall be paid into the respective county treasuries

5 (c) Every person designated as an issuing agent in accordance with
6 the provisions of this act unless already under bond with the Depart-
7 ment of Revenue as an agent for the collection of its moneys or other-
8 wise under bond to cover the handling of public funds shall before any
9 supply of licenses is delivered to him be given bond to the Common-
10 wealth in such sum as shall be fixed by the Secretary of Revenue which
11 shall be not less than one thousand dollars (\$1,000) nor more than three
12 thousand dollars (\$3,000) for each place where he issues licenses If
13 any such person has more than one place where licenses are issued he
14 may supply a blanket bond covering all places

15 (d) Every issuing agent shall have the power to administer any
16 oath that may be required in connection with the issuance or transfer
17 of licenses or certificates under the provisions of this act

18 (e) Every issuing agent except a otherwise expressly provided by
19 the provisions of this amending act shall have such other powers and

1 duties connected with the issuance and transfer of licenses and certifi-
2 cates and the receipt or collection of applications moneys and fees there-
3 for under the provisions of this act as provided for county treasurers
4 in sections 6 7 8 9 and 10 of this act

5 (f) Any issuing agent who fails to comply with any of the pro-
6 visions of this act in so far as his bonding or his powers and duties are
7 concerned shall not be entitled to retain the sum hereinbefore fixed for
8 his services but such sums shall be paid to the State Treasurer through
9 the Department of Revenue and if not so paid may be recovered by the
10 Commonwealth by suit in the same manner as like amounts are now
11 by law recoverable

12 Section 5 Unless and until the Department of Revenue shall de-
13 termine with the approval of the Governor to issue all of said licenses
14 directly it shall prepare and furnish annually to [the treasurer of] its
15 issuing agents in each county of the Commonwealth metal tags to be
16 given by [the county treasurer] such agents to the owners of dogs when
17 such owners shall pay the license fee for said dogs Such tags shall be
18 of metal and shall bear the name of the county where such license is
19 issued and a serial number corresponding with the number on the license
20 issued to said owner as provided in the preceding section of this act

1 Such tags shall also have impressed thereon the calendar year for which
2 such tag is valid and shall not contain more than one square inch of
3 area within the ears or fastening device The general shape of said tag
4 shall be changed from year to year If and after the Department of
5 Revenue shall determine to issue all of said licenses directly it shall
6 procure and give such tags to the owners of dogs when such owners
7 shall pay the license fee for said dogs If any such tag is lost it shall
8 be replaced by the Department of Revenue or by [the county treasurer]
9 an issuing agent upon application by the person to whom the original
10 license was issued and upon production of such license certificate and
11 the payment of a fee of fifty cents for the use of the Commonwealth
12 and if the tag is issued by [the county treasurer] an issuing agent ten
18 cents for the use of [the county treasurer] such agent

14 Section 2 Section 11 of the act amended June 12 1941 (P L 122)
15 is amended to read

16 Section 11 Any person who keeps or operates a kennel may in lieu
17 of the license for each dog required by this act apply to the Department
18 of Revenue or to [the county treasurer] an issuing agent for a kennel
19 certificate entitling him to keep or operate such kennel The certificate

1 shall describe the premises where the kennel is located and the actual
2 number of dogs which are permitted to be kept within the kennel Such
3 certificates shall be issued by the Department of Revenue or by [the
4 county treasurer] an issuing agent on a form prepared and supplied
5 by the Department of Revenue and shall entitle the person to keep any
6 number of dogs six months old or over not at any time exceeding a
7 certain number to be specified in the certificate The fee to be paid for
8 each kennel certificate shall be ten dollars for ten dogs or less and
9 twenty dollars for more than ten dogs permitted to be kept under the
10 kennel certificates If the license is issued by [the county treasurer]
11 an issuing agent the applicant shall also pay an additoinal fee of ten
12 cents for the services of [the county treasurer] such agent in issuing
13 recording and reporting said kennel certificate to the Department of
14 Revenue and remitting the license fee to the State Treasurer through
15 the Department of Revenue With each kennel certificate the Depart-
16 ment of Revenue or the [county treasurer] issuing agent shall issue a
17 number of metal tags equal to the number of dogs authorized to be
18 kept in the kennel All such tags shall bear the name of the county where
19 it is issued the number of kennel certificate and shall be readily dis-
20 tinguishable from the individual license tags for the same year

1 Section 3 Sections 14 and 15 of the act amended April 9 1929
2 (P L. 456) are amended to read

3 Section 14 [The county treasurer] Every issuing agent shall keep
4 a record of all dog licenses and all kennel certificates and all transfers
5 issued during the year Such record shall contain the name and address
6 of the person to whom each license or transfer is issued In the case
7 of an individual license the record shall also state the breed sex age
8 color and markings of the dog licensed and in the case of a kennel cer-
9 tificate it shall state the place where the business is conducted The
10 record shall be a public record and open to persons interested during
11 business hours

12 Whenever the ownership or possession of any dog licensed under
13 the provisions of this act is transferred from one person to another as
14 provided in section nine of this act except the temporary transfer of
15 dogs for hunting purposes or for breeding trial or show such transfer
16 shall be noted on the record of [the county treasurer] such issuing
17 agent and be so reported to the Department of Revenue

18 Section 15 [The county treasurer] Every issuing agent shall keep
19 an accurate record of all license fees and fines collected by him or paid

1 over to him by any justice of the peace alderman magistrate or notary
2 public and the county treasurer shall also keep a record of all money
3 received from the sale of dogs Such record shall be a public record and
4 open to persons interested during business hours All such moneys [re-
5 ceived by the county treasurer] shall be remitted to the State Treasurer
6 through the Department of Revenue on the first Monday of each
7 calendar month together with a report in duplicate of each payor on
8 forms furnished by the Department of Revenue One copy of each such
9 report shall be transmitted by the Department of Revenue to the De-
10 partment of Agriculture

11 Section 4 Section 18 of the act amended July 2 1941 (P L 233)
12 is amended to read

13 Section 18 On and after the fifteenth day of January one thousand
14 nine hundred and twenty-two it shall be unlawful for any person to
15 own or keep any dog six months old or over unless such dog is licensed
16 by [the treasurer] an issuing agent of the county in which the dog is
17 kept and unless such dog at all times wears the collar and tag provided
18 for by this act unless such dogs are temporarily brought into the State
19 for breeding hunting trial or show purposes as hereinbefore provided

We certify that this bill has passed the Senate and the House of Representatives.

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Chief Clerk, Senate

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President pro tempore, Senate

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Speaker, House of Representatives

Approved The day of A. D. 1901.

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Governor