Overview

This bill makes a few changes to the statutory chapter on cruelty to animals, and substantially rewrites the statutory provisions regarding dangerous dogs. The bill adds categories for destructive, potentially dangerous, and potentially destructive dogs; increases the bond or insurance requirements for owners of dangerous dogs from $50,000 to $300,000; requires implantation of identification microchips; amends and clarifies seizure, penalty, and appeal provisions; and adds penalties and liabilities for owners of dogs that kill or cause harm to service dogs.

1 Duties of peace officers. Adds animal control officer as person who may apply to county law enforcement to investigate alleged cruelty to animals.

2 General rule. Adds to conditions specifying when an animal may be destroyed after proper hearing, to include when animals are seized in relation to animal fights.

3 Notice; right to hearing. Conforming change.

4 Record of live evidence.

Subd. 1. Photographic record. Allows photographs of seized animals to be entered into evidence.

Subd. 2. Veterinarian investigative report. Allows report of a veterinarian examination of an animal seized during an investigation to be entered into evidence.

5 Definitions. Adds definitions of "destructive dog," "potentially dangerous dog," "potentially destructive dog," "substantial bodily harm," and "great bodily harm." Changes definitions of "dangerous dog" and "animal control authority."

6 Requirement. Adds destructive dogs to registration requirement, and adds the requirement that all destructive and dangerous dogs must be kept in a proper enclosure.

7 Dangerous or destructive designation and appeal. Provides authority for an animal control authority to declare an animal dangerous, destructive, potentially dangerous, or potentially destructive. Gives the owner ten days to appeal dangerous or destructive designation, during
which time the dog must be kept in a proper enclosure.

Registration for dangerous and destructive dogs. Lists requirements for registering of
dangerous or destructive dogs:

(1) existence of a proper enclosure;
(2) payment by the owner of an annual fee, not to exceed $1,000 in addition to regular dog
licensing fee;
(3) attachment of a standardized warning tag to the dog's collar;
(4) posting in a conspicuous location of a uniform warning symbol; and
(5) implantation of an identification microchip.

Additional registration requirement for dangerous dogs. Requires the owner of a dangerous
dog to purchase a surety bond of at least $300,000, payable to a person injured by the dog, or
liability insurance of at least $300,000. Confirmation of insurance or bonded status must be
issued to the animal control authority. Requires the animal control authority to extend the period
to obtain insurance to up to 30 days, upon request.

Declaration; dangerous. Provides criteria for declaring a dog to be dangerous:
inflicts substantial bodily harm on a human without provocation; or
bites, attacks, or endangers a human after being declared potentially dangerous.

Declaration; destructive. Provides criteria for declaring a dog to be destructive:
kills a domestic animal while off the owner's property; or
without provocation bites a domestic animal after being declared potentially destructive.

Declaration; potentially dangerous. Provides criteria for declaring a dog to be potentially
dangerous:
without provocation bites a human;
without provocation chases or approaches a person not on the owner's property in an
apparent attitude of attack; or
has a known propensity, tendency, or disposition to attack without provocation, causing
injury or otherwise threatening the safety of a human.

Declaration; potentially destructive. Provides criteria for declaring a dog to be potentially
destructive:
without provocation bites a domestic animal while off the owner's property.

Declaration; exemptions. Prohibits an animal control authority from declaring a dog to be
dangerous if the dog is used in police work, the dog is a service dog attempting to protect itself
or its owner from attack, or the dog threatened or injured a person who was: committing trespass
at the time; provoking, tormenting, abusing, or assaulting the dog; or committing or attempting
to commit a crime.

Microchip identification. Adds new requirement for all dogs declared dangerous, destructive,
potentially dangerous, or potentially destructive to be implanted with an identification microchip
at the cost of the owner. Identification number from the microchip must be provided to
applicable animal control authority.

Dangerous or destructive dogs; additional requirements. (a) Adds destructive dogs to
requirement for proper enclosure.
(b) Requires owner of a dangerous and destructive dog to renew the dog's registration annually until the dog dies, and to register in new jurisdiction if the dog is moved.
(c) Requires owner to notify the applicable animal control authority if the dog dies or is moved from the jurisdiction.
(d) Allows an animal control authority to require a dangerous or destructive dog to be sterilized.
(e) Requires owner renting property to disclose the presence of a dangerous or destructive dog to the property owner.

17 Additional regulations. (a) Allows local units of government to impose additional requirements and regulations on dogs, as long as they are not inconsistent with state law.
(b) Prohibits a local government from declaring a dog dangerous, destructive, potentially dangerous, or potentially destructive based solely upon breed.

18 Seizure. (a) Adds authority for animal control authority to seize destructive dogs, as well as dangerous dogs, if certain conditions are met, including the additional condition of failing to renew annual registration.
(b) Makes it mandatory for the court to order a dog to be destroyed if the owner is convicted of a misdemeanor connected with the dog.

19 Reclaimed. Adds destructive dogs to statutory provisions for reclaiming a seized dog. Adds requirement for microchipping before dog may be reclaimed. Changes period for reclaiming dog from seven days to five regular business days.

20 Appeal. Requires animal control authority to notify owner of right to appeal a dangerous or destructive declaration. Provides ten days for the owner to serve notice of appeal on the animal control authority. Requires an informal appeal to be heard by an employee of the political subdivision who is not connected to the animal control authority, with the burden of proof on the animal control authority. Determination under first appeal may be appealed by either party to the district court.

21 Penalty. Violation of dangerous dog provisions is a misdemeanor. Removal of a microchip, failing to account for a dog's death or move, or signing a false affidavit with regard to a dog's death or move is also a misdemeanor.

22 Harm caused to service dog. Provides that the owner of a dog that kills or without provocation causes substantial or great bodily harm to a service dog is guilty of a misdemeanor, and is also liable for the costs of replacing the dog. Defines "service dog."

23 Repealer. Repeals sections that have been substantially rewritten and replaced with new provisions, including provisions for: warning symbols at residence of a dangerous dog; exempting law enforcement dogs; exempting dogs harming a person committing a crime or provoking a dog; disallowing local ordinances based solely upon breed; seizing a dangerous dog.