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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-FIFTH
SESSION

HOUSE FILE No. **3245**

February 19, 2008

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The bill was read for the first time and referred to the Committee on Public Safety and Civil Justice

March 3, 2008

Returned to Author

A bill for an act

relating to animals; requiring obedience training for certain dangerous dogs;
providing for a task force; amending Minnesota Statutes 2006, sections 347.50,
by adding a subdivision; 347.51, subdivisions 2, 3a, 8, by adding subdivisions;
347.54, subdivision 1; proposing coding for new law in Minnesota Statutes,
chapter 347.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 2006, section 347.50, is amended by adding a
subdivision to read:

Subd. 8. **Obedience education course.** "Obedience education course" means a
course meeting the requirements of section 347.526.

Sec. 2. Minnesota Statutes 2006, section 347.51, subdivision 2, is amended to read:

Subd. 2. **Registration.** An animal control authority shall issue a certificate of
registration to the owner of a dangerous dog if the owner shows proof of completion of an
obedience education course with the dog and presents sufficient evidence that:

(1) a proper enclosure exists for the dangerous dog and a posting on the premises
with a clearly visible warning sign, including a warning symbol to inform children, that
there is a dangerous dog on the property;

(2) a surety bond issued by a surety company authorized to conduct business in this
state in a form acceptable to the animal control authority in the sum of at least \$50,000,
payable to any person injured by the dangerous dog, or a policy of liability insurance issued
by an insurance company authorized to conduct business in this state in the amount of at
least \$50,000, insuring the owner for any personal injuries inflicted by the dangerous dog;

2.1 (3) the owner has paid an annual fee of not more than \$500, in addition to any
2.2 regular dog licensing fees, to obtain a certificate of registration for a dangerous dog under
2.3 this section; and

2.4 (4) the owner has had microchip identification implanted in the dangerous dog as
2.5 required under section 347.515.

2.6 Sec. 3. Minnesota Statutes 2006, section 347.51, is amended by adding a subdivision
2.7 to read:

2.8 Subd. 2b. **Obedience education symbol.** Upon completion of an obedience
2.9 education course, the owner of a registered dangerous dog must receive a second symbol
2.10 to post adjacent to, but not obscuring, the warning symbol required by subdivision 2a.
2.11 The design of the obedience education symbol must meet the design requirements for
2.12 the warning symbol.

2.13 Sec. 4. Minnesota Statutes 2006, section 347.51, subdivision 3a, is amended to read:

2.14 Subd. 3a. **Dangerous dog designation review.** Beginning six months after a dog is
2.15 declared a dangerous dog, an owner may request annually that the animal control authority
2.16 review the designation. The owner must provide evidence that the dog's behavior has
2.17 changed due to the dog's age, neutering, environment, completion of obedience training,
2.18 in excess of state requirements for completion of an obedience education course, that
2.19 includes modification of aggressive behavior, or other factors. If the animal control
2.20 authority finds sufficient evidence that the dog's behavior has changed, the authority
2.21 may rescind the dangerous dog designation.

2.22 Sec. 5. Minnesota Statutes 2006, section 347.51, is amended by adding a subdivision
2.23 to read:

2.24 Subd. 7a. **Obedience education tag.** A dangerous dog registered under this section
2.25 must be issued an obedience education secondary tag upon completion of an obedience
2.26 education course. The commissioner of public safety, after consultation with animal
2.27 control professionals, shall provide by rule for the design of the tag.

2.28 Sec. 6. Minnesota Statutes 2006, section 347.51, subdivision 8, is amended to read:

2.29 Subd. 8. **Local ordinances.** A statutory or home rule charter city, or a county, may
2.30 ~~not adopt an ordinance regulating~~ recommend to the task force created in section 10 that
2.31 specific breeds of dogs be designated as dangerous or potentially dangerous dogs based

3.1 solely on the specific breed of the dog. The recommendation must be made no later than
3.2 June 30, 2008. Ordinances inconsistent with this subdivision are void.

3.3 Sec. 7. **[347.525] OBEDIENCE TRAINING.**

3.4 At least one adult with a permanent legal Minnesota mailing address must register as
3.5 the primary owner of each registered dangerous or potentially dangerous dog, as identified
3.6 by local animal control authorities, and must attend an obedience education course
3.7 with the dog and show proof of completion of the course in order to renew or obtain a
3.8 registration as required under section 347.51.

3.9 Sec. 8. **[347.526] TRAINING SPECIFICATIONS.**

3.10 The commissioner of public safety shall adopt rules by June 30, 2009, containing
3.11 standards for obedience education courses.

3.12 Sec. 9. Minnesota Statutes 2006, section 347.54, subdivision 1, is amended to read:

3.13 Subdivision 1. **Seizure.** (a) The animal control authority having jurisdiction shall
3.14 immediately seize any dangerous dog if the owner is unwilling to enroll immediately in an
3.15 obedience education course and:

3.16 (1) after 14 days after the owner has notice that the dog is dangerous, the dog is not
3.17 validly registered under section 347.51;

3.18 (2) after 14 days after the owner has notice that the dog is dangerous, the owner does
3.19 not secure the proper liability insurance or surety coverage as required under section
3.20 347.51, subdivision 2;

3.21 (3) the dog is not maintained in the proper enclosure; or

3.22 (4) the dog is outside the proper enclosure and not under physical restraint of a
3.23 responsible person as required under section 347.52.

3.24 (b) If an owner of a dog is convicted of a crime for which the dog was originally
3.25 seized, the court may order that the dog be confiscated and destroyed in a proper and
3.26 humane manner, and that the owner pay the costs incurred in confiscating, confining,
3.27 and destroying the dog.

3.28 Sec. 10. **BETTER ANIMAL RESPONSIBILITY AND KNOWLEDGE TASK**
3.29 **FORCE.**

3.30 The governor shall appoint the Better Animal Responsibility and Knowledge Task
3.31 Force to study and recommend to the commissioner of public safety and the legislature
3.32 a uniform, statewide, mandatory system of dog owner and dog obedience education

4.1 training according to commonly accepted standards and best practices for each breed or
4.2 mixed breed of dog. The recommendations must include specific education required
4.3 for humane care and assurance of public safety for breeds identified by any licensing
4.4 authority of Minnesota as potentially dangerous. Membership of the task force must
4.5 include, but is not limited to, one representative each of a Minnesota humane society, the
4.6 Minnesota Veterinary Medical Association, the Minnesota Department of Health, the
4.7 American Kennel Club, the Minnesota Board of Animal Health, the Minnesota League
4.8 of Cities, the Minnesota Association of Counties, and the Minnesota Township Officers
4.9 Association; a dog attack victim; a licensed dog breeder; obedience training programs; the
4.10 Minnesota Community Education Association; the Minnesota 4H Dog Project; and K-9
4.11 law enforcement personnel. The task force established in this section must report its initial
4.12 findings and recommendations to the commissioner of public safety and the legislature by
4.13 January 15, 2009, and must make its final recommendations to the commissioner of public
4.14 safety and the legislature by January 31, 2010. The task force expires on January 31, 2010.

4.15 Sec. 11. **EFFECTIVE DATE.**

4.16 Sections 8 and 10 are effective the day following final enactment. Sections 1 to 7
4.17 and 9 are effective August 1, 2009.