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State of Minnesota

HOUSE OF REPRESENTATIVES

EIGHTY-SIXTH
SESSION

HOUSE FILE No. 115

January 15, 2009
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The bill was read for the first time and referred to the Committee on Public Safety Policy and Oversight

1.1 A bill for an act
1.2 relating to dogs; requiring certain dog owners to take responsible dog owner
1.3 classes and pass certain tests; requiring maintenance of a database; proposing
1.4 coding for new law in Minnesota Statutes, chapter 347.

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

1.6 Section 1. **[347.57] DEFINITIONS.**

1.7 Subdivision 1. **Applicability.** The definitions in this section apply to sections
1.8 347.57 to 347.67.

1.9 Subd. 2. **Animal control authority.** "Animal control authority" means an agency of
1.10 the state, county, municipality, or other governmental subdivision of the state which is
1.11 responsible for animal control operations in its jurisdiction.

1.12 Subd. 3. **Class training manual.** "Class training manual" means the materials used
1.13 to train the facilitator and the materials used by facilitators to train the dog owner.

1.14 Subd. 4. **Dog owner.** "Dog owner" means the owner of a dog that has been declared
1.15 dangerous or potentially dangerous.

1.16 Subd. 5. **Facilitator.** "Facilitator" means a person who teaches the responsible dog
1.17 owner class and administers the test to the dog owner.

1.18 Subd. 6. **Program manager.** "Program manager" means the person who oversees
1.19 and coordinates the responsible dog owner class, trains the facilitators, and handles
1.20 recordkeeping of the classes.

1.21 Subd. 7. **Responsible dog owner class.** "Responsible dog owner class" means a
1.22 class for owners of dogs that have been declared dangerous or potentially dangerous
1.23 under section 347.50.

2.1 Sec. 2. **[347.58] RESPONSIBLE DOG OWNER CLASS.**

2.2 (a) The owner of a dog that has been declared dangerous or potentially dangerous
2.3 under section 347.50 must take and pass the responsible dog owner class lasting
2.4 approximately four hours. A photo identification of the dog owner is required at the time
2.5 of the class to confirm ownership of the dog. The dog owner must enroll in a class within
2.6 30 days of the dog being declared potentially dangerous or dangerous. The dog owner
2.7 must attend the class at the next scheduled class date. The class is for the owner of the
2.8 dog only; dogs are not allowed in the class.

2.9 (b) Dog owners who own dogs that were previously declared dangerous must
2.10 take the responsible dog owner class. The dog owner must attend the class at the next
2.11 scheduled class date after the effective date of this section.

2.12 (c) The Department of Public Safety must charge the dog owner a reasonable fee for
2.13 attending the class.

2.14 Sec. 3. **[347.59] PROGRAM MANAGER.**

2.15 (a) The program manager must be:

2.16 (1) a veterinarian in good standing in Minnesota with a minimum of three years
2.17 experience; or

2.18 (2) a person with a minimum of five years experience working in an animal-related
2.19 field, including knowledge and training of dog behavior and education of the public on
2.20 dog behavior.

2.21 (b) A background check must be performed on a person applying to be a program
2.22 manager. The applicant must pass the background check without any violations prior to
2.23 being appointed. No person who has been convicted of animal cruelty under Minnesota
2.24 law or any other state law may be a program manager.

2.25 (c) The Department of Public Safety shall employ the program manager and
2.26 determine how much the program manager shall be paid for providing program manager
2.27 services.

2.28 Sec. 4. **[347.60] FACILITATOR.**

2.29 A facilitator must have a minimum of five years experience in dog training or in
2.30 educating the public on dog behavior. A background check must be performed on a
2.31 facilitator and a facilitator must pass the background check without any violations prior to
2.32 that person being appointed and trained. No person who has been convicted of animal
2.33 cruelty under Minnesota law or any other state law may be a facilitator. A facilitator must
2.34 receive retraining by the program manager every three years to remain a facilitator.

3.1 Sec. 5. **[347.61] TRAINING.**

3.2 Ongoing training must be provided by the program manager to facilitators, including
3.3 updating the class training manual and teaching facilitators current information.

3.4 Sec. 6. **[347.62] ANIMAL CONTROL AUTHORITY DUTIES.**

3.5 The animal control authority that declares a dog dangerous or potentially dangerous
3.6 must provide the following information to the program manager and the Department of
3.7 Public Safety:

3.8 (1) name, address, and telephone number of the dog owner;

3.9 (2) description of the dog;

3.10 (3) a tracking number to identify the case; and

3.11 (4) any other pertinent information.

3.12 Sec. 7. **[347.63] NOTIFICATION.**

3.13 The program manager must send a written notification to the owners of dogs
3.14 declared dangerous or potentially dangerous that they must register for a class within 30
3.15 days, how to register for the class, and any other pertinent information.

3.16 Sec. 8. **[347.64] CLASS TRAINING MANUAL; FORMS; CURRICULUM; TEST.**

3.17 (a) The class training manual and curriculum must address the basic needs of the
3.18 dog, both behavioral and physical, and include education on dog care and dog behavior.

3.19 The class training manual, forms, test, and curriculum must be prepared in consultation
3.20 with a study commission and printed by the Department of Public Safety.

3.21 (b) Upon completion of the responsible dog owner class, a facilitator must administer
3.22 a multiple choice test to the dog owner and grade the test. A dog owner who fails the
3.23 test must retake the test within two weeks.

3.24 (c) If the owner of a dog declared dangerous fails the test twice, the animal control
3.25 authority must seize the animal and provide for disposition of the animal pursuant to
3.26 sections 347.54 and 347.541.

3.27 (d) If the owner of a dog declared potentially dangerous fails the test twice, the
3.28 animal control authority must make the determination as to disposition of the dog.

3.29 (e) If a dog owner fails to register for a responsible dog owner class or fails to appear
3.30 for the class and take the test, the dog owner must be considered as having failed the test.

3.31 (f) A facilitator must provide a certificate of class completion to a dog owner upon
3.32 successfully passing the test. A facilitator must forward a verification of completion or
3.33 non-completion form and the tests to the program manager. The program manager must

4.1 verify the information and forward it to the animal control authority and the Department
4.2 of Public Safety.

4.3 **Sec. 9. [347.65] LOCATION OF CLASS.**

4.4 Responsible dog owner classes must be offered to dog owners at locations
4.5 determined by the program manager on a quarterly basis, as needed.

4.6 **Sec. 10. [347.66] TRANSFER OF OWNERSHIP.**

4.7 If ownership of a dangerous or potentially dangerous dog is transferred to another
4.8 person, the new owner must take a responsible dog owner class and pass the test.

4.9 **Sec. 11. [347.67] STATEWIDE RECORDS; REPORTING; DATABASE.**

4.10 A database must be maintained by the Department of Public Safety containing
4.11 records of all dogs in Minnesota declared potentially dangerous or dangerous, and
4.12 owner information, including any convictions for violations of section 347.51; 347.515;
4.13 347.56; 609.205, subdivision 4; or 609.226, subdivision 1 or 2; and any dogs owned
4.14 by that person that have been ordered destroyed under section 347.56, as well as other
4.15 information pertinent to enforcement of sections 347.50 to 347.565. The database must
4.16 also contain information regarding the test results of the responsible dog owner class.
4.17 The commissioner of public safety, in consultation with animal control professionals,
4.18 must determine what information will be kept in this database. This database must be
4.19 accessible, only for purposes of law enforcement, to all police and sheriff departments
4.20 and other local government departments responsible for conducting or overseeing animal
4.21 control operations in their jurisdictions, with the exception that private animal control
4.22 authorities contracted to local government agencies may only access these records
4.23 through, and with the permission of, those local government agencies. All Minnesota law
4.24 enforcement agencies and animal control authorities must report in a timely manner to the
4.25 Department of Public Safety any information required under this section.

4.26 **Sec. 12. EFFECTIVE DATE.**

4.27 Sections 1, 3 to 6, 9, and 11 are effective the day following final enactment. Sections
4.28 2, 7, 8, and 10 are effective six months after that day.