

CHAPTER 347

DOGS AND CATS

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347.50 DEFINITIONS.

Subdivision 1. **Terms.** For the purpose of sections 347.50 to 347.56, the terms defined in this section have the meanings given them.

[For text of subs 2 to 6, see M.S.2000]

Subd. 6a. **Great bodily harm.** "Great bodily harm" has the meaning given it under section 609.02, subdivision 8.

[For text of subd 7, see M.S.2000]

History: *1Sp2001 c 8 art 8 s 14,15*

347.51 DANGEROUS DOGS; REGISTRATION.

[For text of subd 1, see M.S.2000]

Subd. 2. **Registration.** An animal control authority shall issue a certificate of registration to the owner of a dangerous dog if the owner 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;

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

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

[For text of subs 2a and 3, see M.S.2000]

Subd. 3a. **Dangerous dog designation review.** Beginning six months after a dog is declared a dangerous dog, an owner may request annually that the animal control authority review the designation. The owner must provide evidence that the dog's behavior has changed due to the dog's age, neutering, environment, completion of obedience training that includes modification of aggressive behavior, or other factors. If the animal control authority finds sufficient evidence that the dog's behavior has changed, the authority may rescind the dangerous dog designation.

[For text of subs 4 and 5, see M.S.2000]

Subd. 6. [Repealed, 1Sp2001 c 8 art 8 s 30]

[For text of subs 7 and 8, see M.S.2000]

Subd. 9. **Contracted services.** A county may contract with another political subdivision or other person to provide the services required under sections 347.50 to

347.54. Notwithstanding any contract entered into under this subdivision, all fees collected under sections 347.50 to 347.54 shall be paid to the county and all certificates of registration must be issued in the name of the county.

History: *1Sp2001 c 8 art 8 s 16-18*

347.515 MICROCHIP IDENTIFICATION.

The owner of a dangerous or potentially dangerous dog must have a microchip implanted in the dog for identification, and the name of the microchip manufacturer and identification number of the microchip must be provided to the animal control authority. If the microchip is not implanted by the owner, it may be implanted by the animal control authority. In either case, all costs related to purchase and implantation of the microchip must be borne by the dog's owner.

History: *1Sp2001 c 8 art 8 s 19*

347.52 DANGEROUS DOGS; REQUIREMENTS.

(a) An owner of a dangerous dog shall keep the dog, while on the owner's property, in a proper enclosure. If the dog is outside the proper enclosure, the dog must be muzzled and restrained by a substantial chain or leash and under the physical restraint of a responsible person. The muzzle must be made in a manner that will prevent the dog from biting any person or animal but that will not cause injury to the dog or interfere with its vision or respiration.

(b) An owner of a dangerous dog must renew the registration of the dog annually until the dog is deceased. If the dog is removed from the jurisdiction, it must be registered as a dangerous dog in its new jurisdiction.

(c) An owner of a dangerous dog must notify the animal control authority in writing of the death of the dog or its transfer to a new jurisdiction within 30 days of the death or transfer, and must, if requested by the animal control authority, execute an affidavit under oath setting forth either the circumstances of the dog's death and disposition or the complete name, address, and telephone number of the person to whom the dog has been transferred.

(d) An animal control authority may require a dangerous dog to be sterilized at the owner's expense. If the owner does not have the animal sterilized, the animal control authority may have the animal sterilized at the owner's expense.

(e) A person who owns a dangerous dog and who rents property from another where the dog will reside must disclose to the property owner prior to entering the lease agreement and at the time of any lease renewal that the person owns a dangerous dog that will reside at the property.

(f) A person who sells a dangerous dog must notify the purchaser that the animal control authority has identified the dog as dangerous. The seller must also notify the animal control authority in writing of the sale and provide the animal control authority with the new owner's name, address, and telephone number.

History: *1Sp2001 c 8 art 8 s 20*

347.55 PENALTY.

(a) Any person who violates any provision of section 347.51 or 347.52 is guilty of a misdemeanor.

(b) It is a misdemeanor to remove a microchip from a dangerous or potentially dangerous dog, to fail to renew the registration of a dangerous dog, to fail to account for a dangerous dog's death or removal from the jurisdiction, to sign a false affidavit with respect to a dangerous dog's death or removal from the jurisdiction, or to fail to disclose ownership of a dangerous dog to a property owner from whom the person rents property.

History: *1Sp2001 c 8 art 8 s 21*

347.56 DESTRUCTION OF DOG IN CERTAIN CIRCUMSTANCES.

Notwithstanding sections 347.51 to 347.55, a dog that inflicted substantial or great bodily harm on a human being on public or private property without provocation may be destroyed in a proper and humane manner by the animal control authority. The animal control authority may not destroy the dog until the dog owner has had the opportunity for a hearing before an impartial decision maker.

The definitions in section 347.50 and the exemptions under section 347.51, subdivision 5, apply to this section.

History: *1Sp2001 c 8 art 8 s 22*