



CHAPTER 395

FORMERLY

HOUSE BILL NO. 345

AS AMENDED BY HOUSE AMENDMENT NO. 1

AN ACT TO AMEND CHAPTER 17, TITLE 7, DELAWARE CODE, MAKING IT UNLAWFUL FOR DOGS TO RUN AT LARGE, PROVIDING PENALTIES FOR VIOLATIONS THEREOF, AND PROVIDING THAT RECORDS OF SUCH VIOLATIONS BE KEPT BY THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL.

Be it enacted by the General Assembly of the State of Delaware (two-thirds of all the members elected to each branch thereof concurring therein):

Section 1. Amend §1704, Chapter 17, Title 7, Delaware Code, by adding thereto a new subsection to be designated as subsection (d) to read as follows:

"(d) Whoever, being the owner, custodian, possessor, or harbinger of any dog, that while running at large and without provocation, bites a person, shall be fined not less than \$25.00 nor more than \$50.00. For each subsequent offense involving the same dog, such owner, custodian, possessor, or harbinger shall be fined not less than \$100.00 nor more than \$300.00. The minimum fines provided for in this Section, \$25.00 for the first offense and \$100.00 for each subsequent offense, shall not be subject to suspension. For purposes of this Section, a dog shall not be deemed as running at large if such dog is on land owned or leased by such dog's owner, custodian, possessor, or harbinger."

Section 2. Amend §1704, Chapter 17, Title 7, Delaware Code, by adding thereto a new subsection to be designated as subsection (e) to read as follows:

"(e) Upon conviction in any Court of an offense under subsection (d) herein, the Court shall cause a report to be forwarded to the Department of Natural Resources and Environmental Control. Said report shall contain the name of the defendant, the name of the dog, the license number of the dog, the date of the offense, and the date of conviction. The Department of Natural Resources and Environmental Control shall maintain these reports for a period of three (3) years."

Approved May 14, 1976

