



SPONSOR: Rep. D.E. Williams & Sen. Peterson  
Reps. Briggs King, J. Johnson, Q. Johnson, Potter

HOUSE OF REPRESENTATIVES  
147th GENERAL ASSEMBLY

HOUSE BILL NO. 297

AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO DOGS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

Section 1. Amend § 922(a), Title 9 of the Delaware Code by making deletions as shown by strike through and insertions shown by underline and as follows:

§ 922 Seizure and impoundment of dangerous or potentially dangerous dogs; notification of dog owner; request for hearing.

(a) An animal control constable or dog warden shall seize and impound a dog suspected of being dangerous or potentially dangerous when the warden has reasonable cause to believe that the dog has engaged in one or more of the following:

(1) Chased or pursued a person, including but not limited to a person on a bicycle, upon the streets, sidewalks or any public or private property, ~~other than the dog owner's property~~, in an apparent attitude of attack on 2 separate occasions within a 12-month period; or

(2) Killed or inflicted physical injury or serious physical injury upon a human being; or

(3) Killed or inflicted serious physical injury upon a domestic animal, provided the domestic animal was on the property of its owner or under the immediate control of its owner; or

(4) Was subject to, or was used to facilitate, animal cruelty or animal fighting, as alleged in a criminal complaint or charge.

SYNOPSIS

This bill clarifies when an animal control constable or dog warden may impound a dog that is suspected of being dangerous or potentially dangerous. The bill makes clear that any of the paragraphs constitutes grounds. In addition, the bill removes largely redundant language referencing an exception for the dog owner's property. Section 923 already includes an exception for injury to a "human being who, at the time the injury was sustained, was committing criminal trespass or other tort upon premises occupied by the owner of the dog, or was teasing, tormenting, abusing or assaulting the dog, or was committing or attempting to commit a crime."