



1995 SENATE BILL 627

March 19, 1996 - Introduced by Senator DECKER. Referred to Committee on Transportation, Agriculture and Local Affairs.

1 **AN ACT to amend** 174.05, 174.052, 174.053 (1) and (2), 174.06 (1) and (7), 174.065
2 (1), 174.07 (1) (d), (2) (a) and (3) (b) and 174.09 (2) of the statutes; **relating to:**
3 dog licensing.

Analysis by the Legislative Reference Bureau

Under current law, the owner of a dog must annually obtain a license for the dog. The license is valid from January 1, to the following December 31.

This bill makes dog licenses valid for 2 years, from January 1 of an odd-numbered year to the December 31 preceding the next odd-numbered year. The bill provides for a minimum dog license tax for the 2-year period of \$6 for a neutered or spayed dog and \$16 for any other dog, double the current minimum for the one-year license. The bill changes certain local responsibilities related to dog licensing, such as publishing notice of the dog license requirement, from annual to biennial responsibilities.

This bill also allows counties to authorize veterinarians to issue dog licenses.

For further information see the **state and local** fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

4 **SECTION 1.** 174.05 of the statutes is amended to read:
5 **174.05 Dog license tax. (1) REQUIREMENT.** Except as provided in s. 174.054,
6 the owner of a dog more than 5 months of age on January 1 of any odd-numbered
7 year, or 5 months of age within the license period beginning on January 1 of any

1 odd-numbered year, shall ~~annually~~ biennially, or on or before the date the dog
2 becomes 5 months of age, pay the dog license tax and obtain a license.

3 (2) TAX. The minimum dog license tax is ~~\$3~~ \$6 for a neutered male dog or spayed
4 female dog, upon presentation of evidence that the dog is neutered or spayed, and ~~\$8~~
5 \$16 for an unneutered male dog or unspayed female dog, or one-half of these
6 amounts if the dog became 5 months of age after ~~July 1~~ January 1 of the
7 even-numbered year of the license year period.

8 (3) ADDITIONAL TAX. The governing body of any county may by a majority vote
9 of the members present at any regular meeting raise the minimum dog license tax
10 on dogs within its jurisdiction and the governing body of any town, village or city may
11 by resolution raise the minimum dog license tax on dogs within its jurisdiction. If
12 the governing body of any county, town, village or city increases the minimum tax,
13 it shall provide that the tax for unneutered male dogs and unspayed female dogs is
14 greater than the tax for neutered male dogs and spayed female dogs. The additional
15 tax may not exceed the total cost of all dog licensing, regulating and impounding
16 activities for the previous year 2 years, less any refunds which may be received under
17 s. 174.09 (2), and shall be levied and collected in the same manner as other dog license
18 taxes.

19 (4) (title) ~~LICENSE YEAR PERIOD~~. The license year period commences on January
20 1 of an odd-numbered year and ends on the following December 31 preceding the
21 next odd-numbered year.

22 (5) LATE FEES. The collecting official shall assess and collect a late fee of \$5 from
23 every owner of a dog 5 months of age or over, if the owner failed to obtain a license
24 prior to April 1 of each odd-numbered year, or within 30 days of acquiring ownership
25 of a licensable dog or if the owner failed to obtain a license on or before the dog

1 reached licensable age. All late fees received or collected shall be paid into the local
2 treasury as revenue of the town, village or city in which the license was issued. The
3 governing body of any county, town, village or city may, when setting the amount of
4 the tax, provide that any person purchasing a dog license for a dog 5 months of age
5 or over after April 1 of an odd-numbered year shall pay an additional late fee.

6 **SECTION 2.** 174.052 of the statutes is amended to read:

7 **174.052 Publication of the dog license requirement and rabies**
8 **vaccination requirement. (1) JANUARY NOTICE.** The county board of each county
9 shall cause a class 1 notice under ch. 985 to be published between January 1 and
10 January 15 of each odd-numbered year in a newspaper having general circulation
11 in the county notifying the public that rabies vaccinations and dog licenses are
12 required under the statutes.

13 **(2) MARCH NOTICE.** The county board of each county shall cause a class 1 notice
14 under ch. 985 to be published between March 1 and March 15 of each odd-numbered
15 year in a newspaper having general circulation in the county notifying the public
16 that rabies vaccinations and dog licenses are required under the statutes and that
17 late fees may be assessed after April 1.

18 **SECTION 3.** 174.053 (1) and (2) of the statutes are amended to read:

19 **174.053 (1) KENNEL LICENSE OPTION.** Any person who keeps or operates a kennel
20 may, instead of the license tax for each dog required by this chapter, apply to the
21 collecting official for a kennel license for the keeping or operating of the kennel. Such
22 person shall pay for the license year period a license tax of \$35 \$70 for a kennel of
23 12 or fewer dogs and an additional \$3 \$6 for each dog in excess of 12. Upon payment
24 of the required kennel license tax and upon presentation of evidence that all dogs
25 over 5 months of age are currently immunized against rabies, the collecting official

1 shall issue the kennel license and a number of tags equal to the number of dogs
2 authorized to be kept in the kennel.

3 **(2) KENNEL LICENSE TAGS.** Kennel license tags shall be made in a form so that
4 they may be readily distinguishable from the individual license tags for the same
5 year license period. The owner or keeper of a kennel shall keep at all times a kennel
6 license tag attached to the collar of each dog over 5 months old kept by the owner or
7 keeper under a kennel license but this requirement does not apply to a dog during
8 competition or training, to a dog securely confined indoors, to a dog while hunting
9 or to a dog securely confined in a fenced area. These tags may be transferred from
10 one dog to another within the kennel whenever any dog is removed from the kennel.
11 The rabies vaccination tag or substitute tag shall remain attached to the dog for
12 which it is issued at all times but this requirement does not apply to a dog during
13 competition or training, to a dog securely confined indoors, to a dog while hunting
14 or to a dog securely confined in a fenced area. No dog bearing a kennel tag shall be
15 permitted to stray or to be taken anywhere outside the limits of the kennel unless
16 the dog is in leash or temporarily out for the purposes of hunting, breeding, trial,
17 training or competition.

18 **SECTION 4.** 174.06 (1) and (7) of the statutes are amended to read:

19 174.06 **(1) RESPONSIBILITY TO LIST.** Every town, village and city shall ~~annually,~~
20 by September 1 of each even-numbered year, ascertain by diligent inquiry the dogs
21 owned or kept within the assessment district.

22 **(7) LIST DELIVERY.** The listing official shall, by September 15 of each
23 even-numbered year, deliver one copy of the list under sub. (5) or (6) to the county
24 clerk, one copy to the collecting official, and retain one copy for his or her files.

25 **SECTION 5.** 174.065 (1) of the statutes is amended to read:

1 174.065 (1) COLLECTING OFFICIAL. The collecting official is the city, village or
2 town treasurer or other tax collecting officer or a person deputized by the treasurer
3 or tax collecting official, unless the common council or village or town board provides
4 by ordinance or resolution for the appointment of a different person. A county board
5 may, by ordinance or resolution, authorize veterinarians to be collecting officials in
6 the county.

7 **SECTION 6.** 174.07 (1) (d), (2) (a) and (3) (b) of the statutes are amended to read:

8 174.07 (1) (d) *Tag.* After issuing the license the collecting official shall deliver
9 to the owner a tag of durable material bearing the same serial number as the license,
10 the name of the county in which issued and the license year period.

11 (2) (a) The department shall contract for and have prepared and furnished
12 ~~annually~~ biennially to the county clerk of each county a sufficient number of tags.
13 The cost of making and furnishing the tags and the cost of printing all forms shall
14 be paid by the counties out of the dog license fund.

15 (3) (b) *Return of tags and licenses.* The collecting official shall ~~annually~~, by
16 December 31 of each even-numbered year, return to the county clerk all unused tags
17 of the current license year period, together with license books and all duplicate
18 licenses of the current year license period. The county clerk shall carefully check the
19 returned tags, duplicate licenses, and license blanks to ascertain whether all tags
20 and license blanks which were furnished by the county clerk have been accounted
21 for, and to enable the county clerk to do that the county clerk shall charge each
22 collecting official with all tags and blank licenses furnished or delivered and credit
23 those returned. In case of discrepancy, the county clerk shall notify the department.

24 **SECTION 7.** 174.09 (2) of the statutes is amended to read:

