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## State Laws

The following 14 states prohibit their municipalities from passing breed-specific laws: [Colorado](#), [Florida](#), [Illinois](#), [Maine](#), [Minnesota](#), [New Jersey](#), [New York](#), [Oklahoma](#), [Pennsylvania](#), [Texas](#), [Virginia](#), [Massachusetts](#), [Nevada](#), [Connecticut](#) and [Rhode Island](#). Since Nevada, Rhode Island and Connecticut's laws were just passed the code is not updated. When it is, the official code and chapter numbers will be available.

One state, [California](#), prohibits most breed-specific laws, but allows breed-specific spay/neuter.

The state laws pertaining to breed-specific legislation are detailed below.

### CALIFORNIA

#### CALIFORNIA CODES

#### FOOD AND AGRICULTURAL CODE

#### DIVISION 14. REGULATION AND LICENSING OF DOGS

#### CHAPTER 9. POTENTIALLY DANGEROUS AND VICIOUS DOGS

#### Article 5. Miscellaneous

#### SECTION 31681-31683

*31683. Nothing in this chapter shall be construed to prevent a city or county from adopting or enforcing its own program for the control of potentially dangerous or vicious dogs that may incorporate all, part, or none of this chapter, or that may punish a violation of this chapter as a misdemeanor or may impose a more restrictive program to control potentially dangerous or vicious dogs. Except as provided in Section 122331 of the Health and Safety Code, no program regulating any dog shall be specific as to breed.*

#### CALIFORNIA CODES

#### HEALTH AND SAFETY CODE

#### DIVISION 105. COMMUNICABLE DISEASE PREVENTION AND CONTROL

#### PART 6. VETERINARY PUBLIC HEALTH AND SAFETY

#### CHAPTER 7. SPAY/NEUTER AND BREEDING PROGRAMS FOR ANIMALS

#### SECTION 122330-122331

*122330. The Legislature finds and declares all of the following:*

*(a) Uncontrolled and irresponsible breeding of animals contributes to pet overpopulation, inhumane treatment of animals, mass euthanasia at local shelters, and escalating costs for animal care and control; this irresponsible breeding also contributes to the production of defective animals that present a public safety risk.*

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*(b) Though no specific breed of dog is inherently dangerous or vicious, the growing pet overpopulation and lack of regulation of animal breeding practices necessitates a repeal of the ban on breed-specific solutions and a more immediate alternative to existing laws.*

*(c) It is therefore the intent of the Legislature in enacting this chapter to permit cities and counties to take appropriate action aimed at eliminating uncontrolled and irresponsible breeding of animals*

*122231. (a) Cities and counties may enact dog breed-specific ordinances pertaining only to mandatory spay or neuter programs and breeding requirements, provided that no specific dog breed, or mixed dog breed, shall be declared potentially dangerous or vicious under those ordinances.*

*(b) Jurisdictions that implement programs described in subdivision (a) shall measure the effect of those programs by compiling statistical information on dog bites. The information shall, at a minimum, identify dog bites by severity, the breed of the dog involved, whether the dog was altered, and whether the breed of dog was subject to a program established pursuant to subdivision (a). These statistics shall be submitted quarterly to the State Public Health Veterinarian.*

## COLORADO

Colorado Revised Statutes

Title 18 Criminal Code

Article 9 Offenses Against Public Peace, Order, and Decency

Part 2 Cruelty to Animals

18-9-204.5. Unlawful ownership of dangerous dog.

*(5) (a) Nothing in this section shall be construed to prohibit a municipality from adopting any rule or law for the control of dangerous dogs; ~~except that any such rule or law shall not regulate dangerous dogs in a manner that is specific to breed.~~*

*(b) Nothing in this section shall be construed to abrogate a county's authority under part 1 of article 15 of title 30, C.R.S., to adopt dog control and licensing resolutions and to impose the penalties set forth in section 30-15-102, C.R.S.; except that any such resolution shall not regulate dangerous dogs in a manner that is specific to breed.*

*(c) No municipality or county may destroy or dispose of a dog that is awaiting destruction or disposition as of April 21, 2004, in connection with a violation or charged violation of a municipal or county ban on one or more specific dog breeds.*

*Colorado state law was amended to prohibit BSL in 2004. However, some municipalities in Colorado have passed and enforced BSL by claiming home rule status.*

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**Home rule exceptions?** Yes. Home rule cities may pass breed-specific laws using home rule justification.

#### FLORIDA

Florida Statutes  
Title XLV TORTS  
Chapter 767 DAMAGE BY DOGS

*767.14 Additional local restrictions authorized.  
—Nothing in this act shall limit any local government from placing further restrictions or additional requirements on owners of dangerous dogs or developing procedures and criteria for the implementation of this act, provided that no such regulation is specific to breed and that the provisions of this act are not lessened by such additional regulations or requirements. This section shall not apply to any local ordinance adopted prior to October 1, 1990.*

The last sentence in this law allows the grandfathering of breed bans or restrictions in place prior to October 1, 1990.

#### ILLINOIS

Illinois Compiled Statutes  
Chapter 510 Animals  
[\(510 ILCS 5/\) Animal Control Act.](#)

*Sec. 15. (a) Vicious dogs shall not be classified in a manner that is specific as to breed.*

*Sec. 24. Nothing in this Act shall be held to limit in any manner the power of any municipality or other political subdivision to prohibit animals from running at large, nor shall anything in this Act be construed to, in any manner, limit the power of any municipality or other political subdivision to further control and regulate dogs, cats or other animals in such municipality or other political subdivision provided that no regulation or ordinance is specific to breed.*

**Home rule exceptions?** Yes. Home rule cities may pass breed-specific laws using home rule justification.

#### MAINE

Title 7: AGRICULTURE AND ANIMALS  
Part 9: ANIMAL WELFARE HEADING: PL 1987, C. 383, §3  
Chapter 725: MUNICIPAL DUTIES HEADING: PL 1987, C. 383, §3  
[§3950. Local regulations](#)

*Each municipality is empowered to adopt or retain more stringent ordinances, laws or regulations dealing with the subject matter of this chapter, except that municipalities may not follow*

*adopt breed-specific ordinances, laws or regulations. Any less restrictive municipal ordinances, laws or regulations are invalid and of no force and effect. [1991, c. 779, §40 (AMD).]*

#### MASSACHUSETTS

The new state law becomes effective on October 31. We will update with the official link and text at that time.

*Section 157. (a) Any person may file a complaint in writing to the hearing authority complaining that a dog owned or kept in the city or town is a nuisance dog or is a dangerous dog; provided, however, that no dog shall be deemed dangerous: [...] (ii) based upon the breed of such dog; [...]*

**No city or town shall regulate dogs in a manner that is specific to breed.**

You can read the full text of the bill here: <http://www.malegislature.gov/Bills/187/Senate/S02192>

Home rule exceptions? None known at this time.

#### MINNESOTA

Minnesota Statutes  
Chapter 347. Dogs and Cats  
347.51 DANGEROUS DOGS; REGISTRATION.

*Subd. 8. Local ordinances.  
A statutory or home rule charter city, or a county, may not adopt an ordinance regulating dangerous or potentially dangerous dogs based solely on the specific breed of the dog. Ordinances inconsistent with this subdivision are void.*

#### NEW JERSEY

New Jersey Statutes  
Title 4 Agriculture and Domestic Animals  
4:19-36. Act to supersede inconsistent local laws

*The provisions of this act shall supersede any law, ordinance, or regulation concerning vicious or potentially dangerous dogs, any specific breed of dog, or any other type of dog inconsistent with this act enacted by any municipality, county, or county or local board of health.  
L.1989, c.307, s.21.*

New Jersey municipalities are very restricted in the types of dog laws that they may pass. Extensive state-level laws preempt municipal laws.

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## NEW YORK

Agriculture and Markets Law

Article 7 – LICENSING, IDENTIFICATION AND CONTROL OF DOGS

[§ 107. Application.](#)

*5. Nothing contained in this article shall prevent a municipality from adopting its own program for the control of dangerous dogs; provided, however, that no such program shall be less stringent than this article, and no such program shall regulate such dogs in a manner that is specific as to breed. Notwithstanding the provisions of subdivision one of this section, this subdivision and sections one hundred twenty-three, one hundred twenty-three-a and one hundred twenty-three-b of this article shall apply to all municipalities including cities of two million or more.*

## OHIO

Update 2/21/12: Ohio state law has recently changed and is no longer breed-specific. Ohio is now like the other 37 states that don't say anything about BSL at the state level and leave it up to municipalities to decide whether to have BSL.

## OKLAHOMA

[Oklahoma Statutes](#)

Title 4. Animals

§4-46. Muzzle and restraint of certain dogs required – Local regulation of dangerous dogs – Dogs not to be declared dangerous.

*B. Potentially dangerous or dangerous dogs may be regulated through local, municipal and county authorities, provided the regulations are not breed specific. Nothing in this act shall prohibit such local governments from enforcing penalties for violation of such local laws.*

Home rule exceptions? No. A recent court case in Oklahoma determined that a "home rule" city in Oklahoma may NOT pass a breed-specific law that conflicts with the state law against BSL.

## PENNSYLVANIA

[Purdon's Pennsylvania Statutes and Consolidated Statutes](#)

Title 3 P.S. Agriculture

Chapter 8. Dogs and Cats

Dog Law

Article V-A. Dangerous Dogs

§ 459-507-A. Construction of article

*(c) Local ordinances.—Those provisions of local ordinances relating to dangerous dogs are hereby abrogated. A local ordinance otherwise dealing with dogs may not prohibit or otherwise limit a specific breed of dog.*

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*(d) Insurance coverage discrimination.—No liability policy or surety bond issued pursuant to this act or any other act may prohibit coverage from any specific breed of dog.*

#### TEXAS

HEALTH AND SAFETY CODE  
TITLE 10. HEALTH AND SAFETY OF ANIMALS  
CHAPTER 822. REGULATION OF ANIMALS  
SUBCHAPTER D. DANGEROUS DOGS  
§ 822.047. LOCAL REGULATION OF DANGEROUS DOGS.

*A county or municipality may place additional requirements or restrictions on dangerous dogs if the requirements or restrictions:*

- (1) are not specific to one breed or several breeds of dogs; and*
- (2) are more stringent than restrictions provided by this subchapter.*

Home rule exceptions? No.

“Safe dog loophole” used? Yes—city of Garland has passed a breed-specific containment law, but the breed-specific law does not declare any dogs dangerous; has not been challenged in court.

#### VIRGINIA

Title 3.2 AGRICULTURE, ANIMAL CARE, AND FOOD.  
Chapter 65 Comprehensive Animal Care  
§ 3.2-6540. Control of dangerous or vicious dogs; penalties.

*C. No canine or canine crossbreed shall be found to be a dangerous dog or vicious dog solely because it is a particular breed, nor is the ownership of a particular breed of canine or canine crossbreed prohibited.*

#### NEVADA

*A local authority shall not adopt or enforce an ordinance or regulation that deems a dog dangerous or vicious based solely on the breed of the dog.*

#### CONNECTICUT

*(D) (i) Regulate and prohibit the going at large of dogs and other animals in the streets and public places of the municipality and prevent cruelty to animals and all inhuman sports, except that no municipality shall adopt breed-specific dog ordinances*

#### RHODE ISLAND

A N A C T RELATING TO ANIMALS AND ANIMAL HUSBANDRY – DOGS AND VICIOUS DOGS

Follow

*SECTION 1. Chapter 4-13 of the General Laws entitled "Dogs" is hereby amended by adding thereto the following sectionS*  
*4-13-43. Prohibition of breed specific regulation.*

*No city or town may enact any rule, regulation or ordinance specific to any breed of dog, cat or other animal in the exercise of its power to further control and regulate dogs, cats or other animals as authorized by this chapter.*

*SECTION 2. Chapter 4-13.1 of the General Laws entitled "Regulation of Vicious Dogs" is hereby amended by adding thereto the following section:*  
*4-13.1-16. Prohibition of breed specific regulation. –*

*No city or town may enact any rule, regulation or ordinance specific to any breed of dog, cat or other animal in the exercise of its power to further control and regulate dogs, cats or other animals as authorized by this chapter.*

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