

Date of Hearing: April 7, 2026

ASSEMBLY COMMITTEE ON JUDICIARY
Ash Kalra, Chair
AB 2574 (Alanis) – As Amended March 26, 2026

As Proposed to be Amended

SUBJECT: POTENTIALLY DANGEROUS AND VICIOUS DOGS: NOTICE OF OWNER'S OR KEEPER'S RIGHTS

KEY ISSUE: SHOULD A STATEWIDE STANDARD SET OF PROCEDURES BE ADOPTED FOR ADJUDICATING WHETHER OR NOT A DOG IS DANGEROUS AND VICIOUS?

SYNOPSIS

In the event a dog bites or otherwise injures a human, the dog may be subjected to proceedings to determine if the dog is potentially dangerous or vicious. If a dog is deemed vicious, then an animal welfare department may move to have the dog euthanized in order to protect public safety. Although existing state law provides a legal framework for adjudicating these matters, the law is largely optional and significantly defers to local rules and regulations. As a result of this legal framework, the proceedings to determine a dog's status can vary widely between local jurisdictions. The inconsistent application of the law is further compounded by the fact that local hearing officers need not be judges, attorneys, or possess any legal training to assist in applying the law. Attempting to standardize and streamline the law related to vicious animals, last year, this Committee approved AB 793 (Schultz, 2025), a far more sweeping attempt to reform the law that ultimately stalled in the Senate Appropriations Committee.

Seeking to address the inconsistent application of animal welfare laws, this measure represents a more modest update to the law when compared to AB 793. First, this bill will require all local jurisdictions to use the statutorily provided procedures for animal welfare cases, thus reducing the inconsistency between jurisdictions. Secondly, the bill provides a "know your rights" style notice to pet owners, separate from the formal legal notice and summons, to help pet owners navigate the animal welfare adjudication process. Finally, this bill reorganizes the existing law to make it easier to read and comprehend for lay persons.

This author-sponsored measure is supported by Fix Our Shelters who focus on the need for a standardized set of rules governing dangerous dog adjudications. Although this bill is unopposed, the California Animal Welfare Association has written to express concerns with the bill to the Committee. The proposed amendments to the burden of proof and "know your rights" notice, which are discussed at length below, should address many of the Association's concerns. However, it appears the concerns about potentially overruling local control will remain.

SUMMARY: Standardizes across jurisdictions the hearing procedures that apply to local animal control agencies evaluating whether or not a dog is potentially dangerous or vicious. Specifically, **this bill:**

- 1) Applies the statutorily specified hearing and appeal procedures utilized to determine if a dog is dangerous or vicious to all jurisdictions, regardless of the existence of local rules.

- 2) Requires, at least five working days prior to a public hearing regarding a potentially dangerous or vicious dog, the court or hearing entity to post notice of the public hearing required by this section in an easily identifiable and accessible location of the court or hearing entity's internet website.
- 3) Eliminates the prohibition on a jury trial for adjudicating a potentially vicious or dangerous dog case.
- 4) Requires an appeal of a vicious or dangerous dog ruling to be made to the appellate division of the superior court, which must hear the matter de novo and without a jury.
- 5) Removes the prohibition on appealing a ruling regarding a vicious or dangerous dog to the court of appeal.
- 6) Requires a court hearing an appeal of a ruling regarding a vicious or dangerous dog to admit all relevant evidence, as specified.
- 7) Requires a court hearing an appeal of a ruling regarding a vicious or dangerous dog to utilize the same evidentiary standards as the court or administrative proceeding that first adjudicated the matter.
- 8) Requires, if a dog is seized and impounded by a law enforcement or animal control officer pending a hearing, the law enforcement or animal control officer to provide a notice of rights to the owner or keeper of the dog at the same time as the notice of hearing either personally or by first-class mail with return receipt requested.
- 9) Requires the notice specified in 2) to contain the following:
 - a) A detailed description of the reason the owner's or keeper's dog is being seized and impounded pending adjudication of whether or not the dog is potentially dangerous or vicious;
 - b) Information regarding owner's or keeper's right to a hearing by an impartial hearing officer or judge before any potentially dangerous or vicious designation of the dog;
 - c) Notice that the hearing will be held no less than five working days and not more than 10 working days from the date of the service of notice on the owner or keeper of the dog; and
 - d) Information regarding the owner's or keeper's right to legal representation, full access and review of all evidence considered by the investigating law enforcement or animal control agency, including witness statements and contact information, present evidence in defense of the dog, including having witnesses appear on the owner's or keeper's behalf, and confront witnesses during the hearing.
- 10) Requires, if the notice specified in 2) is personally served that the person serving the notice to document and attest to the following:
 - a) The location at which the notice was served;
 - b) The date and time the notice was served; and

c) To the extent feasible, the name of the person or agent provided the notice.

11) Revises and recasts the existing law regarding hearing procedures for potentially dangerous or vicious dogs.

EXISTING LAW:

- 1) Finds and declares that potentially dangerous and vicious dogs have become a serious and widespread threat to the safety and welfare of citizens of this state. In recent years, they have assaulted without provocation and seriously injured numerous individuals, particularly children, and have killed numerous dogs. (Food and Agricultural Code Section 31601 (a).)
- 2) Defines a “potentially dangerous dog” as any of the following:
 - a) Any dog which, when unprovoked, on two separate occasions within the prior 36-month period, engages in any behavior that requires a defensive action by any person to prevent bodily injury when the person and the dog are off the property of the owner or keeper of the dog;
 - b) Any dog which, when unprovoked, bites a person causing a less severe injury than provided in 4); or
 - c) Any dog which, when unprovoked, on two separate occasions within the prior 36-month period, has killed, seriously bitten, inflicted injury, or otherwise caused injury attacking a domestic animal off the property of the owner or keeper of the dog. (Food and Agricultural Code Section 31602.)
- 3) Defines “vicious dog” as either:
 - a) Any dog that, when unprovoked, in an aggressive manner, inflicts severe injury on or kills a human being; or
 - b) Any dog previously determined to be and currently listed as a potentially dangerous dog that, after its owner or keeper has been notified of this determination, continues the behavior described in 2). (Food and Agricultural Code Section 31603.)
- 4) Defines “severe injury” as any physical injury to a human being that results in muscle tears or disfiguring lacerations or requires multiple sutures or corrective or cosmetic surgery. (Food and Agricultural Code Section 31604.)
- 5) Requires that if an animal control officer or a law enforcement officer has investigated and determined that there exists probable cause to believe that a dog is potentially dangerous or vicious, the chief officer of the public animal shelter or animal control department, or the chief officer’s immediate supervisor, or the head of the local law enforcement agency, or the agency head’s designee, to petition the superior court of the county in which the dog is owned or kept for a hearing for the purpose of determining whether or not the dog should be declared potentially dangerous or vicious. (Food and Agricultural Code Section 31621.)
- 6) Provides that a hearing to make the determination required by 5) may be filed in limited civil court or may be held through an administrative hearing process established by a city or county. (*Ibid.*)

- 7) Provides that a hearing conducted pursuant to 6) must be open to the public, accept all relevant evidence, and that the ultimate decision regarding a dog's status as a potentially dangerous or vicious dog is to be determined by a preponderance of the evidence. (*Ibid.*)
- 8) Provides that any appeal of the determination made in a hearing conducted pursuant to 6) is to be conducted de novo and a judge must make their own determination as to the potential danger and viciousness and make other orders, as specified. (Food and Agricultural Code Section 31622 (b).)
- 9) Provides that if a dog is determined to be a vicious dog, the dog may be destroyed by the animal control department when it is found, in the proceeding conducted pursuant to 6) that the release of the dog would create a significant threat to the public health, safety, and welfare. (Food and Agricultural Code Section 31645 (a).)
- 10) Provides that if a vicious dog is not ordered to be destroyed then the officer conducting the hearing pursuant to 6) must impose conditions upon the ownership of the dog that protect the public health, safety, and welfare. (Food and Agricultural Code Section 31645 (b).)
- 11) Provides that, notwithstanding 1) though 10), nothing prevents 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 the above described provisions of the Food and Agricultural Code, or that may punish a violation of the Code as a misdemeanor or may impose a more restrictive program to control potentially dangerous or vicious dogs. (Food and Agricultural Code Section 31683.)

FISCAL EFFECT: As currently in print this bill is keyed fiscal.

COMMENTS: In 1989, following a series of high profile incidents of dogs attacking humans, the Legislature adopted the existing framework for evaluating whether or not a dog is vicious and for handling of the outcome of such decisions. (SB 428 (Torres) Chap. 761, Stats. 1989.) The existing statutory scheme requires a hearing officer to determine if a dog is potentially dangerous or vicious by a preponderance of the evidence. However, beyond establishing this basic standard of review, the existing law largely defers to the rules and regulations for the care and ownership of dogs adopted by local animal control departments for governing their jurisdiction. The author of this bill contends that the existing system of local control is resulting in highly inconsistent decisions regarding the fate of dogs alleged to be dangerous or vicious. Seeking to restore some degree of uniformity in the handling of cases involving potentially dangerous or vicious dogs, this bill eliminates the discretion provided in existing law permitting local jurisdictions to adopt their own policies and procedures for adjudicating vicious dog cases. In support of the bill the author states:

The purpose of AB 2574 is to improve transparency and procedural clarity in the process used by local authorities to determine whether a dog is potentially dangerous or vicious. This bill clarifies the notice requirements provided to dog owners and ensures that individuals are informed of their rights during administrative hearings.

By updating these proceedings, this bill seeks to promote consistency across jurisdictions and ensure that individuals receive clear information about the legal process affecting their animal. AB 2574 strengthens due process protection while maintaining the authority of local agencies to address public safety concerns.

California law largely defers to a patchwork of local standards for dealing with potentially dangerous or vicious dogs. California's existing law for regulating potentially dangerous or vicious dogs provides a basic legal framework that outlines the hearing process and burden of proof that must be met to deem a dog vicious, but leaves most of the decision making regarding a dog's fate to local agencies. (See Food and Agricultural Code Section 31601 *et seq.*) The present legal framework provides that when an animal control or humane officer possesses probable cause to believe that a dog is potentially dangerous or vicious, usually based on public complaints, the animal control officer must petition either local authorities or the superior court for a determination whether the dog is dangerous or vicious. In the event a dog is suspected of being potentially dangerous or vicious, the dog's owner is served a formal notice in writing and is permitted to contest the determination at a hearing. A hearing officer must then determine, by a preponderance of the evidence whether or not the dog is dangerous or vicious. If a dog is determined to be vicious, it is likely to be euthanized by the local animal control agency. The owners of dogs deemed potentially dangerous, but not vicious, are frequently given plans for controlling the dog and securing their property that must be followed as a condition of recovering possession of the dog.

Beyond this basic framework mandating some form of due process, most of the other legal guidelines for determining if a dog is potentially dangerous or vicious, including most potential provocation defenses, are left up to local rules and regulations. In fact, Food and Agricultural Code Section 31683 specifically states that, "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." The author of this bill contends that the existing legal framework is resulting in inconsistent application of even the few standards provided in existing law.

In addition to inconsistent local rules, the author notes that the training and expertise of hearing officers varies widely. Without any formal state guidance on the qualifications for hearing officers, those deciding a dog's fate can range from former law enforcement officers, to law students seeking legal experience, to actual judicial officers. Additionally, in the absence of state mandates, unlike judicial officers, there are no formal training requirements for those adjudicating a dog's fate. This can increase the risk that the law is misapplied.

Beyond the lack of consistent or meaningful training for those adjudicating dangerous or vicious dog hearings, dog owners are rarely represented by legal counsel. Indeed, stakeholders note that when owners of dogs alleged to be dangerous or vicious are given the basic written notice required by state law, such notices rarely mention that a dog owner is entitled to be represented by legal counsel at the hearing. Due to both the cost of retaining legal counsel and the general lack of awareness that hiring counsel would be prudent, too many Californians seek to defend their family pet without adequate legal representation. As a result, when an untrained hearing officer renders a legally suspect decision regarding a dog's fate, many dog owners do not realize the decision is legally dubious and are wholly unaware of their appellate rights. Without an appeal, a dog is almost certainly fated to be euthanized.

This bill overrides local control as it relates to the process for adjudicating dangerous or vicious dog cases and adopts new notice requirements to advise pet owners of their rights. As proposed to be amended, this bill seeks to update the laws regarding dangerous or vicious dogs

in four critical ways. First, this bill helpfully revises and recasts the existing law related to dangerous or vicious dogs to make the law easier to digest. The bill makes no substantive changes to the law in this area, but rather the bill breaks up lengthy paragraphs with run-on sentences into a more user friendly series of subdivisions and paragraphs. Secondly, and substantively, the bill eliminates the existing law's discretion enabling the creation of a municipality-specific hearing process. This bill would therefore make all local jurisdictions adhere to the same procedural requirements outlined in state law, with the goal of reducing confusion and the inconsistent application of the law. Additionally, the bill eliminates the prohibition on a jury trial for the initial superior court hearing of a potentially dangerous or vicious dog case. Finally, this bill aims to improve the notice provided to pet owners whose dog is detained as potentially dangerous or vicious. While the bill does not amend any of the requirements related to the actual legal notice provided to the dog owner regarding the formal proceeding, the bill does require that a new "know your rights" like notice be provided to the dog owner so that they are better informed as to how to proceed. This notice includes helpful information for lay pet owners regarding the timeline by which they must assert their rights, the fact that a person may retain counsel, and the fact that a person is entitled to have witnesses testify on their (and their dog's) behalf. Because this is not a formal legal notice, unlike the notice to appear, the bill adopts less formal standards for delivery to ensure that the non-legal notice cannot delay or frustrate the legal proceedings.

Proposed amendments ensure that a potentially dangerous or vicious dog will not be entitled to two jury trials. The bill in print seeks to remove the prohibition on a jury trial for the dog's initial hearing on its dangerous or vicious status. Although those provisions seem reasonable, the bill in print also eliminates the prohibition on a jury trial for the appeal to the appellate division of the superior court. This would, in theory, permit a dog to have two jury trials – a right not even conferred upon human defendants. Accordingly, the Committee is proposing and the author has agreed to accept an amendment to restore the existing law's prohibition on a jury trial for the appeal of a dangerous or vicious dog case. Accordingly, paragraph (1) of subdivision (c) of Food and Agricultural Code Section 31622 will once again read:

(c) (1) The court hearing the appeal shall conduct a hearing de novo, ***without a jury***, and make its own determination as to potential danger and viciousness and make other orders authorized by this chapter, based upon the evidence presented.

Additionally, the bill seeks to ensure that all the same standards of proof are utilized throughout the process for adjudicating a dog's fate. Accordingly, paragraph (4) of subdivision (c) of Section 31622 will be amended to read:

(4) The issue shall be decided by ***the same evidentiary standards utilized in the initial hearing conduct pursuant to Section 31621*** ~~clear and convincing evidence.~~

Although this bill standardizes enforcement proceedings, without better training for local officials it may ultimately not reduce confusion when determining a dog's fate. In addition to worrying about the notice language in the bill in print, the local animal welfare groups expressed concerns regarding the loss of local procedures and the mandatory adoption of the uniform state code. A similar concern was expressed to this Committee about similar provisions in last year's AB 793. Nonetheless, much like the impetus for that bill, the proponents of this measure aim to reduce confusion for pet owners seeking to prevent their pet from being deemed vicious.

As noted in this Committee's analysis of AB 793, much of the confusion appears to stem from the lack of consistent training for hearing officers – whether they apply the statewide procedures or local procedures. However, the one aspect of AB 793 that all stakeholders could agree on was that such training would represent an expensive mandate and so the approach was disfavored. The cost pressures facing the state budget are no less serious this year, and thus formal training requirements still do not appear prudent. While the California Animal Welfare Association's concerns about a statewide hearing process are understandable, especially for local agencies with robust local procedures, given this bill's laudable goal of helping pet owners navigate the process for protecting their pet, the bill's current approach seems reasonable. However, *if the author and stakeholders can agree upon a more fiscally prudent and flexible approach to adjudicating viscous and dangerous dog cases, then this Committee endorses the ongoing efforts of stakeholders to reach consensus.*

ARGUMENTS IN SUPPORT: This bill is supported by Fix Our Shelters, a national nonprofit focused on reforming animal shelters. In support of the bill, Fix Our Shelters writes:

Current law allows jurisdictions to adopt their own procedures, resulting in inconsistent and inequitable outcomes. AB 2574 establishes a uniform statewide framework for hearings, notice, and appeals which are critical when outcomes may include permanent designation, severe restrictions, or euthanasia.

The bill strengthens due process by requiring clear notice of rights at the time of seizure, a detailed explanation for impoundment, proper documentation of service, and the ability for owners to access, present, and challenge evidence. These reforms ensure meaningful participation, not merely procedural formality.

It also improves transparency and evidentiary integrity by requiring public posting of hearings, admission of all relevant evidence, and verified complaints supporting probable cause, helping prevent decisions based on incomplete or unverified information.

ARGUMENTS OF CONCERN: As noted the California Animal Welfare Association expressed concerns about the bill in print. While proposed amendments seek to ameliorate some of these concerns, some appear to remain. Expressing their concern, the California Animal Welfare Association states:

Requiring every city and county to adopt and comply with the state hearing framework would create a substantial administrative and financial burden for jurisdictions that currently operate under locally established dangerous dog ordinances. Existing law allows local governments to adopt their own procedures so long as they are not breed-specific. Many jurisdictions have developed administrative hearing processes that align with their local enforcement structures and court systems.

Mandating compliance with the state's process would require these jurisdictions to redesign their hearing procedures, retrain staff, revise ordinances, and potentially restructure how dangerous dog cases are adjudicated. These changes would impose new costs on local governments and could trigger an unfunded state mandate.

The state statutory process appears to require both an administrative determination and interaction with the superior court system, which could significantly increase court involvement in cases that are currently handled entirely through local administrative

hearings. Expanding the role of the courts in these matters may create unnecessary strain on already burdened superior courts and lengthen the time it takes to resolve cases. Administrative hearings currently allow many disputes to be resolved quickly and efficiently at the local level without requiring court intervention.

REGISTERED SUPPORT / OPPOSITION:

Support

Fix Our Shelters

Opposition

None on file

Concerns

California Animal Welfare Association
County Health Executives Association of California

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