
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1917 Session of
2017

INTRODUCED BY RYAN, CAUSER, COOK, COX, CUTLER, DAY, DIAMOND,
GILLEN, HEFFLEY, JOZWIAK, KEEFER, M. K. KELLER, KNOWLES,
MACKENZIE, MUSTIO, NELSON, RADER, SANKEY, TALLMAN, WARD AND
WARNER, NOVEMBER 13, 2017

REFERRED TO COMMITTEE ON AGRICULTURE AND RURAL AFFAIRS,
NOVEMBER 13, 2017

AN ACT

1 Amending Title 22 (Detectives and Private Police) of the
2 Pennsylvania Consolidated Statutes, in humane society police
3 officers, further providing for qualifications for
4 appointment, for suspension, revocation, limitation and
5 restriction of appointment and restoration of appointment,
6 for training program, for continuing education program and
7 for Statewide registry, and providing for applicability of
8 Right-to-Know Law.

9 The General Assembly of the Commonwealth of Pennsylvania
10 hereby enacts as follows:

11 Section 1. Sections 3705 and 3706(a) of Title 22 of the
12 Pennsylvania Consolidated Statutes are amended by adding
13 paragraphs to read:

14 § 3705. Qualifications for appointment.

15 In order for an individual to be considered for appointment
16 as a humane society police officer, the society or association
17 must submit proof satisfactory to the court of common pleas and
18 the district attorney in each county for which the society or
19 association directs the individual to act as a humane society

1 police officer that the individual:

2 * * *

3 (7) Has not had an appointment as a humane society
4 police officer revoked in another county or another state

5 § 3706. Suspension, revocation, limitation and restriction of
6 appointment; restoration of appointment.

7 (a) Grounds for suspension, revocation, limitation or
8 restriction.--By its own action, on petition by a district
9 attorney or pursuant to a written affidavit filed by a
10 complainant, the court of common pleas may, after conducting a
11 hearing, suspend, revoke, limit or restrict an appointment of an
12 individual to act as a humane society police officer in the
13 county if the court determines any of the following:

14 * * *

15 (6) The individual is not a resident of this
16 Commonwealth.

17 (7) The individual has had an appointment as a humane
18 society police officer revoked in another county or another
19 state.

20 * * *

21 Section 2. Sections 3712(d) and 3713 of Title 22 are amended
22 to read:

23 § 3712. Training program.

24 * * *

25 (d) Curriculum.--The program for the training of humane
26 society police officers shall provide instruction in the
27 following instructional areas:

28 (1) At least [36] 72 hours of instruction shall be
29 provided on the following:

30 (i) Pennsylvania cruelty to animal laws.

1 (ii) Pennsylvania Rules of Criminal Procedure.

2 (iii) [Care and treatment of animals.] Proper
3 procedure for filing citations and warrants, including
4 how and when to contact Federal, State or local law
5 enforcement.

6 (iv) Proper execution of search warrants.

7 (v) Proper search and seizure practices.

8 (vi) Any other areas relating to law enforcement
9 duties.

10 (2) At least [24] 48 hours of instruction shall be
11 provided on the following:

12 (i) Animal husbandry practices constituting normal
13 agricultural operation.

14 (ii) Practices accepted in the agricultural industry
15 in the raising, keeping and production of agricultural
16 animals.

17 (iii) Characteristics of agricultural animals likely
18 evidencing care that is in violation of the cruelty to
19 animal laws.

20 (iv) Proper care, treatment and handling of
21 agricultural and other animals pursuant to enforcement of
22 the cruelty to animals laws.

23 (v) Treatments administered and research conducted
24 during the normal scope of veterinarian practices.

25 (vi) Agricultural biosecurity protocols.

26 (vii) General farm orientation and security
27 practices.

28 (viii) Farm hazards, including protocols to be
29 performed by the humane society police officer in
30 detecting the presence of manure pits, silos,

1 agricultural pesticides and chemicals and other
2 conditions on farm premises that may cause serious harm
3 to health or safety of individuals or farm animals or
4 extensive damage to farm property and precautionary
5 measures to be taken for prevention of harm or damage.

6 (ix) Farm and rural culture, including the high
7 priority that residents commonly place on protection of
8 property and the commonly perceived risk that
9 unanticipated entrants may pose to residents and
10 property, and protocols to be followed by the humane
11 society police officer in deescalating contentious
12 encounters with residents.

13 (3) In conducting the training listed in paragraph (2),
14 the program of instruction shall include at least one on-site
15 visit to a commercial farm operation that is at least ten
16 acres in contiguous area.

17 * * *

18 § 3713. Continuing education program.

19 (a) Required training.--During each [two-year] annual period
20 following the date in which an individual has been initially
21 appointed as a humane society police officer, the individual
22 shall successfully complete the minimum requirements for
23 additional training prescribed in the program for continuous
24 education of humane society police officers established in
25 accordance with subsections (b), (c), (d) and (e).

26 (b) Contracts.--

27 (1) The secretary, with the advice of the board, shall
28 contract with an accredited college or university, including
29 a community college or other public or private entity, for
30 the establishment of a continuing education program for the

1 training of individuals to act as humane society police
2 officers.

3 (2) The contracted entity shall forward information
4 pertaining to an individual's successful completion of the
5 continuing education program to the department for the
6 purpose of maintaining the Statewide registry established
7 pursuant to section 3714 (relating to Statewide registry.)

8 (c) Minimum requirements.--The continuing education program
9 for the training of humane society police officers shall include
10 at a minimum [ten] 20 hours of instruction in accordance with
11 subsection (d).

12 (d) Curriculum.--The program for the training of humane
13 society police officers shall provide instruction in the
14 following instructional areas:

15 (1) At least [six] 12 hours of instruction shall be
16 provided on the following:

17 (i) Pennsylvania cruelty to animals laws.

18 (ii) Pennsylvania Rules of Criminal Procedure.

19 (iii) [Care and treatment of animals.] Proper
20 procedure for filing citations and warrants, including
21 how and when to contact Federal, State or local law
22 enforcement.

23 (iv) Proper completion of search warrants.

24 (v) Proper search and seizure practices.

25 (vi) Any other areas relating to law enforcement
26 duties.

27 (2) At least [four] eight hours of instruction shall be
28 provided on the following:

29 (i) Animal husbandry practices constituting normal
30 agricultural operation.

1 (ii) Practices accepted in the agricultural industry
2 in the raising, keeping and production of agricultural
3 animals.

4 (iii) Characteristics of agricultural animals likely
5 evidencing care that is in violation of the cruelty to
6 animals laws.

7 (iv) Proper care, treatment and handling of
8 agricultural and other animals pursuant to enforcement of
9 the cruelty to animals laws.

10 (v) Treatments administered and research conducted
11 during the normal scope of veterinarian practices.

12 (vi) Agricultural biosecurity protocols.

13 (vii) General farm orientation and security
14 practices.

15 (viii) Farm hazards, including protocols to be
16 performed by the humane society police officer in
17 detecting the presence of manure pits, silos,
18 agricultural pesticides and chemicals and other
19 conditions on farm premises that may cause serious harm
20 to health or safety of individuals or farm animals or
21 extensive damage to farm property and precautionary
22 measures to be taken for prevention of harm or damage.

23 (ix) Farm and rural culture, including the high
24 priority that residents commonly place on protection of
25 property and the commonly perceived risk that
26 unanticipated entrants may pose to residents and
27 property, and protocols to be followed by the humane
28 society police officer in deescalating contentious
29 encounters with residents.

30 (3) In conducting the training listed in paragraph (2),

1 the program of instruction shall include at least one on-site
2 visit to a commercial farm operation that is at least ten
3 acres in contiguous area.

4 (e) Automatic suspension.--

5 (1) Failure to complete the continuing education program
6 as prescribed in subsection (a) shall result in an
7 individual's automatic suspension of the powers and authority
8 set forth in section 3708 (relating to powers and authority;
9 jurisdiction) until such time as the individual successfully
10 completes the continuing education requirements.

11 (2) The department shall notify, within one week of the
12 suspension, the court of common pleas and district attorney
13 of each county to which the individual is appointed as a
14 humane society police officer of the suspension.

15 Section 3. Section 3714 of Title 22 is amended by adding
16 subsections to read:

17 § 3714. Statewide registry.

18 * * *

19 (a.1) Inclusion in registry.--A humane society police
20 officer shall make, upon appointment, an application to the
21 department for inclusion in the registry on a form provided by
22 the department. The application shall include confirmation of
23 the appointment by the court of common pleas, proof of
24 completion of the necessary education, a criminal history report
25 from the Pennsylvania State Police under 18 Pa.C.S. Ch. 91
26 (relating to criminal history record information), and a
27 registration fee of \$50.

28 (a.2) Renewals.--A humane society police officer shall apply
29 for renewal of inclusion in the registry every two years on the
30 anniversary of the date of appointment as a humane society

1 police officer. The renewal shall occur in a form and manner as
2 determined by the department and shall include proof of
3 completion of the continuing education required under section
4 3713 (relating to continuing education program), a criminal
5 history report from the Pennsylvania State Police under 18
6 Pa.C.S. Ch. 91, and a renewal fee of \$50.

7 * * *

8 (e) Automatic suspension.--

9 (1) If an individual who is a humane society police
10 officer fails to apply for inclusion in the registry as
11 prescribed in subsection (a), the individual's powers and
12 authority specified in section 3708 (relating to powers and
13 authority; jurisdiction) shall be immediately suspended until
14 such time as the individual successfully completes the
15 application for registration or renewal of registration. The
16 department shall notify the court of common pleas and
17 district attorney of each county to which the individual is
18 appointed as a humane society police officer of the
19 suspension.

20 (2) If an individual who is a humane society police
21 officer fails to renew within 30 days of the anniversary of
22 appointment, the department shall provide notice to the
23 individual that the individual has 90 days to complete the
24 renewal and mark the individual as suspended in the registry.
25 The department shall notify the court of common pleas and
26 district attorney of each county to which the individual is
27 appointed as a humane society police officer of the
28 suspension.

29 Section 4. Title 22 is amended by adding a section to read:
30 § 3719. Applicability of Right-to-Know Law.

1 A society or association shall be subject to the act of
2 February 14, 2008 (P.L.6, No.3), known as the Right-to-Know Law,
3 and considered to be a "local agency" under that act.

4 Section 5. This act shall take effect in 60 days.