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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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SENATE BILL

No. 298 Session of  
2017

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INTRODUCED BY ALLOWAY, REGAN, BARTOLOTTA, DINNIMAN, ARGALL,  
SABATINA, KILLION, YUDICHAK, FOLMER, BAKER, RAFFERTY, BLAKE,  
FONTANA, BOSCOLA, SCAVELLO, WARD, VULAKOVICH, YAW, COSTA,  
BROWNE, RESCHENTHALER AND WAGNER, FEBRUARY 6, 2017

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REFERRED TO JUDICIARY, FEBRUARY 6, 2017

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AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania  
2 Consolidated Statutes, in riot, disorderly conduct and  
3 related offenses, further providing for the offense of  
4 cruelty to animals.

5 The General Assembly of the Commonwealth of Pennsylvania  
6 hereby enacts as follows:

7 Section 1. Section 5511(c) of Title 18 of the Pennsylvania  
8 Consolidated Statutes is amended and the section is amended by  
9 adding a subsection to read:

10 § 5511. Cruelty to animals.

11 \* \* \*

12 (c) Cruelty to animals.--

13 (1) A person commits an offense if he [wantonly or  
14 cruelly] knowingly or recklessly illtreats, overloads, beats,  
15 otherwise abuses any animal, or neglects any animal as to  
16 which he has a duty of care, whether belonging to himself or  
17 otherwise, or abandons any animal, or deprives any animal of  
18 necessary sustenance, drink, shelter or veterinary care, or

1 access to clean and sanitary shelter which will protect the  
2 animal against inclement weather and preserve the animal's  
3 body heat and keep [it] the animal dry.

4 (2) (i) Except as provided in subparagraph (ii), a  
5 person convicted of violating paragraph (1) commits a  
6 summary offense.

7 (ii) A person convicted for a second or subsequent  
8 time of violating paragraph (1) commits a misdemeanor of  
9 the third degree [if all of the following occurred:

10 (A) The action or omission for which the person  
11 was convicted for a subsequent time was performed on  
12 a dog or cat.

13 (B) The dog or cat was seriously injured,  
14 suffered severe physical distress or was placed at  
15 imminent risk of serious physical harm as the result  
16 of the person's action or omission].

17 (3) This subsection shall not apply to activity  
18 undertaken in normal agricultural operation.

19 (c.1) Aggravated cruelty to animals.--

20 (1) A person commits the offense of aggravated cruelty  
21 to animals if an animal suffers bodily injury, as defined in  
22 section 2301 (relating to definitions), as a result of the  
23 person knowingly or recklessly:

24 (i) torturing or abusing an animal;

25 (ii) neglecting an animal as to which he has a duty  
26 of care; or

27 (iii) depriving an animal of necessary sustenance,  
28 drink, shelter or veterinary care or access to clean and  
29 sanitary shelter which will protect the animal against  
30 inclement weather and preserve the animal's body heat and

1           keep the animal dry.

2           (2) (i) Except as provided in subparagraph (ii), a  
3           person convicted of violating paragraph (1) commits a  
4           misdemeanor of the first degree.

5           (ii) A person convicted of violating paragraph (1)  
6           in a case where the animal suffers serious bodily injury,  
7           as defined in section 2301, or death commits a felony of  
8           the third degree.

9           (3) This subsection shall not apply to activity  
10          undertaken in normal agricultural operation.

11          \* \* \*

12          Section 2. This act shall take effect in 60 days.