

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

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# HOUSE BILL

## No. 2164

Session of  
1986

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INTRODUCED BY LETTERMAN, PUNT, MORRIS, COY, CARLSON, BROUJOS,  
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BALDWIN, TRELLO, KASUNIC, McCALL, LAUGHLIN, ITKIN, WAMBACH,  
PRESTON, DAWIDA AND ARTY, FEBRUARY 12, 1986

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AS AMENDED ON THIRD CONSIDERATION, HOUSE OF REPRESENTATIVES,  
JUNE 3, 1986

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## AN ACT

1 Providing for the establishment and operation of a Statewide  
2 system for the prevention and control of rabies; imposing  
3 additional powers and duties on the Departments of Health and  
4 Agriculture and the Pennsylvania Game Commission; providing  
5 for emergency declarations; fixing penalties for violations;  
6 and making appropriations.

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

10   Section 1.   Short title.

11       This act shall be known and may be cited as the Rabies  
12 Prevention and Control in Domestic Animals and Wildlife Act.

13   Section 2.   Findings.

14       (a)   Incidence in rabies.--The incidence of rabies throughout  
15 this Commonwealth has increased over the past six years in  
16 alarming proportions. In 1985, 450 laboratory-confirmed rabies  
17 cases were reported in this Commonwealth, as compared to only 16  
18 confirmed cases in 1979. Furthermore, the epidemic is spreading  
19 across the State. In 1981, only nine counties reported cases of  
20 rabies, whereas, in 1985, rabies cases were reported in almost  
21 half the counties of this Commonwealth.

22       (b)   Impact of rabies epidemic.--The socioeconomic impact of  
23 the epidemic is frightening. Not only is the postexposure  
24 treatment costly but the protocol surrounding a single suspected  
25 rabid animal requires the expenditure of both monetary and human  
26 resources.

27   Section 3.   Legislative intent.

28       It is the intent of the General Assembly to provide a  
29 comprehensive rabies control program involving research,  
30 prevention and education which will protect the citizens of this

1 Commonwealth from an unnecessary and harmful rabies epidemic.

2 Section 4. Definitions.

3 The following words and phrases when used in this act shall  
4 have the meanings given to them in this section unless the  
5 context clearly indicates otherwise:

6 "Commission." The Pennsylvania Game Commission.

7 "Department." The Department of Health of the Commonwealth.

8 "Designated risk area." A region of the State within  
9 geographic boundaries fixed by the department where the  
10 occurrence of rabies poses a grave health risk to human or  
11 animal population.

12 "Local health agency." An agency of the Commonwealth, or one  
13 recognized by the Commonwealth, located in each county  
14 responsible for overseeing the provisions of this act.

15 "RABIES." IN MAN AND ANIMAL, HYDROPHOBIA, AN ACUTE VIRAL  
16 DISEASE OF THE CENTRAL NERVOUS SYSTEM USUALLY TRANSMITTED TO MAN  
17 THROUGH THE INJECTION OF SALIVA BY AN ANIMAL BITE. <—

18 "Secretary." The Secretary of Health of the Commonwealth.

19 Section 5. Statewide system for rabies control.

20 The department, in cooperation with the commission and the  
21 Department of Agriculture, shall establish a Statewide system  
22 for the prevention and control of rabies in both wild and  
23 domestic animals. The system will encompass both a comprehensive  
24 research program aimed at ending the rabies epidemic in the wild  
25 and a rabies control program which includes standardized  
26 procedures to follow in regions of this Commonwealth which have  
27 been declared as designated risk areas by the secretary.

28 Section 6. Powers and duties of department.

29 The department shall have the following power and duties:

30 (1) Monitor, in cooperation with the Department of

1 Agriculture and the commission, the confirmed incidences of  
2 rabies in both domestic and wild animals.

3 (2) Determine, based on the number of confirmed cases,  
4 the number of projected incidences, the probability of human  
5 contact and the rapidity of the spread of the rabies, where a  
6 public risk may exist.

7 (3) Declare regions of the State as designated risk  
8 areas, after notification of the counties involved, and  
9 institute the relevant actions outlined in this act, as well  
10 as others determined by the department which shall be  
11 implemented, until it is determined that the threat of the  
12 rabies epidemic no longer exists.

13 (4) In designated risk areas, institute an intensive  
14 public education campaign on rabies through newspapers, radio  
15 and television announcements.

16 Section 7. Powers and duties of local health agencies.

17 The local health agencies, or designees shall have the  
18 following powers and duties:

19 (1) Furnish information to the department concerning the  
20 prevalence of rabies within its jurisdiction whenever or as  
21 often as requested to do so by the department.

22 (2) Notify the appropriate State health official or  
23 public health veterinarian of incidents reported under the  
24 provisions of section 9(1) and (2).

25 (3) In designated risk areas, cooperate in the  
26 establishment of antirabies clinics according to section  
27 11(b) and (c).

28 Section 8. Testing.

29 All testing and other necessary or appropriate rabies control  
30 conducted upon rabid or suspected rabid animals appropriate to

1 protect human life and safety shall be conducted free of charge  
2 at State laboratories or other facilities designated by the  
3 secretary.

4 Section 9. Reports of possible rabies cases.

5 Any one of the following incidents shall be immediately  
6 reported to the local health agency, or its designee.

7 (1) Knowledge that a dog, cat or other animal has  
8 bitten, scratched or otherwise exposed an individual to a  
9 possible rabies infection.

10 (2) Suspicion that an animal has rabies.

11 (3) The number of human rabies vaccines which have been  
12 administered.

13 ~~Section 10. Vaccination of dogs.~~

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14 ~~(a) Vaccination required. Each person who owns or keeps a~~  
15 ~~dog that is three months of age or older shall have the dog~~  
16 ~~vaccinated adequately against rabies by a currently licensed~~  
17 ~~veterinarian.~~

18 ~~(b) Certificate and tag of vaccination. Every licensed~~  
19 ~~veterinarian who vaccinates a dog against rabies shall issue a~~  
20 ~~vaccination certificate and tag to the owner or person in charge~~  
21 ~~of the dog.~~

22 ~~(c) Proof of vaccination. A county shall not register or~~  
23 ~~license a dog unless the owner or person in charge of the dog~~  
24 ~~submits, with the application for registration or license, proof~~  
25 ~~that the dog has been vaccinated with a rabies vaccine of a type~~  
26 ~~approved by and administered in accordance with the annually~~  
27 ~~adopted Compendium of Animal Rabies Vaccines.~~

28 ~~(d) Use of records. The information in a rabies vaccination~~  
29 ~~record shall not be used for the purpose of taxing the~~  
30 ~~individuals for owning the animals.~~

~~(e) Distribution of rabies certificates and tags. The department shall supply certificates and tags free of charge to licensed veterinarians for their use.~~

~~(f) Enforcement. It shall be the duty of every police officer or State dog warden or animal control officer to issue a citation to every owner or person in charge of a dog that is not vaccinated pursuant to subsection (a).~~

~~Section 11. Designated risk areas.~~

~~(a) Vaccination of cats. When the secretary deems that a designated risk area exists within one or more regions of this Commonwealth and so informs the affected counties and so declares publicly, all of the provisions of section 10 shall also apply to all owners or persons in charge of domesticated cats.~~

~~(b) Antirabies clinics. In designated risk areas and in conjunction with local health agencies, or designees, the department shall provide for the establishment of low cost, self financing antirabies clinics in each county. The clinics shall be offered at locations and on dates as the department and the respective local health agency, or designee, shall determine. The vaccination procedures shall be in accordance with the directions of the manufacturer, as approved by the Federal Government. The local health agency, or its designee, may charge such fees as may be required to cover its costs for material and services provided. In establishing antirabies clinics, the department shall cooperate with local veterinarians and other local organizations. The department shall purchase and supply, at cost, the necessary quantities of vaccine at each established antirabies clinic.~~

~~(c) Subsidized antirabies clinics. When the secretary~~

~~1 determines that certain designated risk areas would meet the~~  
~~2 eligibility criteria of need derived pursuant to this act,~~  
~~3 subsidized antirabies clinics may be established in counties of~~  
~~4 the designated risk areas. The subsidized antirabies clinics~~  
~~5 shall provide all services pursuant to subsection (b) at no~~  
~~6 charge to the owner or person in charge of the animal.~~

7 SECTION 10. VACCINATION REQUIRED; CERTIFICATE AND TAG. <—

8 (A) REQUIREMENT.--EVERY PERSON LIVING IN A DESIGNATED RISK  
9 AREA, OWNING OR KEEPING A DOG OR CAT OVER THREE MONTHS OF AGE,  
10 SHALL CAUSE THAT DOG OR CAT TO BE VACCINATED AGAINST RABIES.  
11 EXCEPT AS PROVIDED IN SUBSECTION (B), RABIES VACCINE SHALL BE  
12 ADMINISTERED BY A LICENSED VETERINARIAN. THE COMMONWEALTH SHALL  
13 RECOGNIZE THE THREE-YEAR RABIES VACCINE AS THE VACCINE TO BE  
14 USED. THOSE ANIMALS VACCINATED AFTER ONE YEAR OF AGE SHALL GET  
15 BOOSTER VACCINATIONS EVERY THREE YEARS THEREAFTER. THOSE ANIMALS  
16 VACCINATED PRIOR TO ONE YEAR OF AGE WILL BE CONSIDERED PROTECTED  
17 FOR ONLY ONE YEAR AND SHALL RECEIVE A BOOSTER VACCINATION ONE  
18 YEAR LATER ON THE ANNIVERSARY DATE OF THE ORIGINAL VACCINATION,  
19 AND SHALL BE VACCINATED EVERY THREE YEARS THEREAFTER.

20 (B) OTHER PERSONS.--PERSONS WHO HAVE VACCINATED THEIR  
21 ANIMALS PRIOR TO THE EFFECTIVE DATE OF THIS ACT SHALL BE  
22 AUTHORIZED TO VACCINATE SUCH ANIMALS BUT SHALL MAINTAIN RECORDS  
23 INDICATING PURCHASE OF VACCINE AND THE DATE OF ADMINISTERING THE  
24 VACCINE. FARMERS AND DOG KENNEL OWNERS SHALL ALSO BE PERMITTED  
25 TO VACCINATE THEIR ANIMALS BUT SHALL MAINTAIN RECORDS INDICATING  
26 PURCHASE OF VACCINE AND THE DATE OF ADMINISTERING THE VACCINE.

27 (C) CERTIFICATE AND TAG OF VACCINATION.--EVERY LICENSED  
28 VETERINARIAN WHO VACCINATES A DOG OR CAT AGAINST RABIES SHALL  
29 ISSUE A VACCINATION CERTIFICATE AND TAG PROVIDED BY THE  
30 MANUFACTURER TO THE OWNER. INFORMATION CONTAINED IN RABIES

1 VACCINATION RECORDS SHALL NOT BE USED FOR THE PURPOSE OF  
2 LICENSING ANIMALS OR FOR TAXATION OF INDIVIDUALS FOR OWNING  
3 ANIMALS. FOR THE PURPOSES OF THIS SECTION, EACH LICENSED  
4 VETERINARIAN MAY SELECT A VACCINE OF HIS CHOICE AND USE THE  
5 PROCEDURES FOR ADMINISTERING IT AS ARE CONSISTENT WITH THE  
6 RECOMMENDATIONS OF THE FEDERAL AGENCY WHICH LICENSES THE  
7 VACCINE.

8 (D) ENFORCEMENT.--IN DESIGNATED RISK AREAS, IT SHALL BE THE  
9 DUTY OF EVERY POLICE OFFICER OR STATE DOG WARDEN OR ANIMAL  
10 CONTROL OFFICER TO ISSUE A CITATION TO EVERY PERSON WHO OWNS A  
11 DOG OR CAT WHICH IS NOT VACCINATED PURSUANT TO SUBSECTION (A).  
12 SECTION 11. ANTIRABIES CLINICS.

13 IN DESIGNATED RISK AREAS AND IN CONJUNCTION WITH THE  
14 RESPECTIVE LOCAL HEALTH DEPARTMENTS, LOCAL HEALTH BOARDS OR  
15 LOCAL HEALTH OFFICERS, THE DEPARTMENT SHALL PROVIDE FOR THE  
16 ESTABLISHMENT OF LOW-COST, SELF-FINANCING ANTIRABIES CLINICS IN  
17 EACH COUNTY. THESE CLINICS SHALL BE OFFERED AT LOCATIONS AND ON  
18 DATES AS THE DEPARTMENT AND THE RESPECTIVE LOCAL HEALTH  
19 AUTHORITIES SHALL DETERMINE. THE DEPARTMENT SHALL ESTABLISH  
20 VACCINATION PROCEDURES FOR CATS AND DOGS TO BE USED AT THE  
21 CLINICS AND SHALL CHARGE SUCH FEES AS MAY BE REQUIRED TO COVER  
22 ITS COSTS FOR MATERIAL AND SERVICE PROVIDED. IN ESTABLISHING  
23 ANTIRABIES CLINICS, THE DEPARTMENT SHALL COOPERATE WITH LOCAL  
24 VETERINARIANS AND OTHER LOCAL ORGANIZATIONS. THE DEPARTMENT  
25 SHALL PURCHASE AND SUPPLY, AT COST, THE NECESSARY QUANTITIES OF  
26 VACCINE AT EACH ESTABLISHED ANTIRABIES CLINIC.

27 Section 12. Powers and duties of commission.

28 (a) Powers and duties.--The commission shall develop and  
29 ~~administrate~~, ADMINISTER AND ENTER INTO A CONTRACT WITH WISTAR  
30 INSTITUTE FOR a comprehensive multiyear wildlife vaccine

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research program, which may include, but not be limited to, the following:

(1) The identification of an appropriate wildlife vaccine.

(2) The development of effective bait attractants for wildlife in the field.

(3) Assessment of the duration of the immunity of the animal, once vaccinated, as well as the effects of the vaccine on wildlife, its safety and stability, and the economics of vaccine production.

(4) The identification and development of a distribution system for the dissemination of the bait in rural and urban environment.

(b) Monitoring and reporting of research activity.--

(1) Annually, the commission shall provide to the General Assembly a status report of the research activity conducted from the prior year. The status report shall contain a summary of the research and the dollars expended.

(2) Prior to the distribution of the bait in rural and urban environments, a comprehensive report outlining the distribution procedure must be submitted to the General Assembly for review.

### Section 13. Penalty.

A person who violates any provision of this act commits a misdemeanor and shall, upon conviction, be sentenced to pay a fine not exceeding \$300 for each violation. Each day of violation shall constitute a separate offense.

### Section 14. Appropriations.

(a) Department of Health.--The sum of ~~\$250,000~~ \$50,000, or as much thereof as may be necessary, is hereby appropriated to

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1 the Department of Health for the fiscal year July 1, 1986, to  
2 June 30, 1987, for the administration of the provisions of this  
3 act.

4 (b) Pennsylvania Game Commission.--The sum of \$273,000, or  
5 as much thereof as may be necessary, is hereby appropriated to  
6 the Pennsylvania Game Commission for the fiscal year July 1,  
7 1986, to June 30 1987, for the development and administration of  
8 a comprehensive multiyear wildlife rabies vaccine research  
9 program.

10 Section 15. Repeals.

11 All acts and parts of acts are repealed insofar as they are  
12 inconsistent with this act.

13 Section 16. Effective date.

14 This act shall take effect in 60 days.