

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2473 Session of
1998

INTRODUCED BY STEELMAN, CORNELL, ITKIN, L. I. COHEN, KAISER,
JOSEPHS, COWELL, ROONEY, LAUGHLIN, LYNCH, C. WILLIAMS,
CARONE, MELIO, MYERS, MICHLOVIC, ROBINSON, PISTELLA, PESCI,
PRESTON, WASHINGTON, ROEBUCK, BISHOP, BATTISTO, RAMOS,
A. H. WILLIAMS, DRUCE, CURRY, DALEY, MARKOSEK, BOSCOLA,
BUXTON, CAPPABIANCA, CARN, CAWLEY, CORPORA, JAMES, OLIVER,
RUBLEY, THOMAS, TIGUE, TRELLO, WALKO, YOUNGBLOOD, PETRONE,
PLATTS, LaGROTTA, BEBKO-JONES, KIRKLAND, BUTKOVITZ AND
M. COHEN, MARCH 25, 1998

REFERRED TO COMMITTEE ON JUDICIARY, MARCH 25, 1998

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, providing for cruelty to animals, for
3 approval by the electorate of a referendum question
4 prohibiting confining, importing, breeding and selling
5 pigeons for pigeon shoots and for duties of the Secretary of
6 the Commonwealth.

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

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

12 § 5511. Cruelty to animals.

13 * * *

14 (k.1) Confining, importing, breeding and selling pigeons for
15 pigeon shoots.--A person commits a summary offense if he
16 confines, breeds, imports, sells or offers for sale a pigeon for

1 use at a pigeon shoot.

2 * * *

3 (q) Definitions.--As used in this section, the following
4 words and phrases shall have the meanings given to them in this
5 subsection:

6 "Animal fighting." Fighting or baiting any bull, bear, dog,
7 cock or other creature.

8 "Audibly impaired." The inability to hear air conduction
9 thresholds at an average of 40 decibels or greater in the better
10 ear.

11 "Blind." Having a visual acuity of 20/200 or less in the
12 better eye with correction or having a limitation of the field
13 of vision such that the widest diameter of the visual field
14 subtends an angular distance not greater than 20 degrees.

15 "Deaf." Totally impaired hearing or hearing with or without
16 amplification which is so seriously impaired that the primary
17 means of receiving spoken language is through other sensory
18 input, including, but not limited to, lip reading, sign
19 language, finger spelling or reading.

20 "Domestic animal." Any dog, cat, equine animal, bovine
21 animal, sheep, goat or porcine animal.

22 "Domestic fowl." Any avis raised for food, hobby or sport.

23 "Normal agricultural operation." Normal activities,
24 practices and procedures that farmers adopt, use or engage in
25 year after year in the production and preparation for market of
26 poultry, livestock and their products in the production and
27 harvesting of agricultural, agronomic, horticultural,
28 silvicultural and aquicultural crops and commodities.

29 "Physically limited." Having limited ambulation, including,
30 but not limited to, a temporary or permanent impairment or

1 condition that causes an individual to use a wheelchair or walk
2 with difficulty or insecurity, affects sight or hearing to the
3 extent that an individual is insecure or exposed to danger,
4 causes faulty coordination or reduces mobility, flexibility,
5 coordination or perceptiveness.

6 Pigeon." A member of the species Columba livia.

7 "Pigeon shoot." An event or contest taking place in this
8 Commonwealth involving the release of live pigeons as targets.

9 "Zoo animal." Any member of the class of mammalia, aves,
10 amphibia or reptilia which is kept in a confined area by a
11 public body or private individual for purposes of observation by
12 the general public.

13 Section 2. (a) The Secretary of the Commonwealth shall
14 cause to be placed on the ballot, at the primary or general
15 election next following the effective date of this act, a
16 referendum to determine the will of the electorate of the
17 Commonwealth with respect to approval of passage of an act
18 prohibiting confining, importing, breeding and selling pigeons
19 for pigeon shoots. The referendum shall be advertised and
20 conducted in accordance with the provisions of the act of June
21 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election
22 Code.

23 (b) The question shall be in substantially the following
24 form:

25 Shall legislation enacted by the General Assembly which
26 prohibits confining, importing, breeding and selling
27 pigeons for use at a pigeon shoot be approved for the
28 Commonwealth?

29 Section 3. Upon approval by the electorate of a referendum
30 question with respect to prohibiting confining, importing,

1 breeding and selling pigeons for pigeon shoots as provided for
2 in section 2, the Secretary of the Commonwealth shall
3 immediately, after tabulating and computing the returns of the
4 ratification of the referendum question, certify the result to
5 the Legislative Reference Bureau for publication in the
6 Pennsylvania Bulletin.

7 Section 4. This act shall take effect as follows:

8 (1) The amendment of 18 Pa.C.S. § 5511 shall be
9 effective upon publication in the Pennsylvania Bulletin of
10 the certification showing approval by the electorate of the
11 referendum under section 3 of this act.

12 (2) The remainder of this act shall take effect
13 immediately.