

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 709 Session of 2003

INTRODUCED BY DiGIROLAMO, ALLEN, BARD, BEBKO-JONES, BELARDI, BROWNE, BUXTON, CASORIO, CAUSER, CAWLEY, CIVERA, CORNELL, CORRIGAN, CRAHALLA, DALLY, DeLUCA, DONATUCCI, J. EVANS, FREEMAN, GEIST, GOODMAN, HARHAI, HARRIS, HASAY, HORSEY, KELLER, KENNEY, KOTIK, LaGROTTA, LEACH, MARKOSEK, McNAUGHTON, NAILOR, O'NEILL, PAYNE, PHILLIPS, RAYMOND, READSHAW, ROONEY, RUBLEY, RUFFING, SAINATO, SATHER, SCAVELLO, SCHRODER, STABACK, TANGRETTI, TRUE, WATSON, WEBER, WILT, J. TAYLOR, REICHLLEY AND E. Z. TAYLOR, MARCH 6, 2003

AS REPORTED FROM COMMITTEE ON JUDICIARY, HOUSE OF REPRESENTATIVES, AS AMENDED, MARCH 12, 2003

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, further providing for cruelty to
3 animals.

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

6 Section 1. Section 5511(a)(2.1)(ii) of Title 18 of the
7 Pennsylvania Consolidated Statutes, amended December 9, 2002
8 (P.L.1439, No.183), is amended and the section is amended by
9 adding a ~~subsection~~ SUBSECTIONS to read: <---

10 § 5511. Cruelty to animals.

11 (a) Killing, maiming or poisoning domestic animals or zoo
12 animals, etc.--

13 \* \* \*

14 (2.1) \* \* \*

1 (ii) Any person convicted of violating the  
2 provisions of this paragraph shall be sentenced to pay a  
3 fine of not less than \$1,000 or to imprisonment for not  
4 more than [two] five years, or both. The court may also  
5 order a presentence mental evaluation. A subsequent  
6 conviction under this paragraph shall be a felony of the  
7 third degree. This paragraph shall apply to dogs and cats  
8 only.

9 \* \* \*

10 (m.2) Certain offenses.--In addition to any other penalty  
11 provided by law, a person convicted of a second or subsequent  
12 offense of cruelty to animals involving a dog or cat under  
13 subsection (c) shall be charged with a misdemeanor of the third  
14 degree.

15 (M.3) PROHIBITION OF OWNERSHIP.--NOTWITHSTANDING ANY ←  
16 PROVISION OF LAW AND IN ADDITION TO ANY OTHER PENALTY PROVIDED  
17 BY LAW, THE AUTHORITY IMPOSING SENTENCE UPON A CONVICTION FOR  
18 ANY VIOLATION OF THIS SECTION MAY ORDER THE PROHIBITION OR  
19 LIMITATION OF THE DEFENDANT'S OWNERSHIP, POSSESSION, CONTROL OR  
20 CUSTODY OF ANIMALS FOR A PERIOD OF TIME NOT TO EXCEED THE  
21 STATUTORY MAXIMUM TERM OF IMPRISONMENT APPLICABLE TO THE OFFENSE  
22 FOR WHICH SENTENCE IS BEING IMPOSED.

23 \* \* \*

24 Section 2. This act shall take effect immediately.