

## 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,  
REICHLEY, E. Z. TAYLOR, HARHART, WALKO, COSTA, HANNA, REED  
AND CRUZ, MARCH 6, 2003

AS AMENDED ON THIRD CONSIDERATION, HOUSE OF REPRESENTATIVES,  
MAY 5, 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 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 OR EMPLOYMENT WITH THE CARE OF ANIMALS for a <—  
21 period of time not to exceed the statutory maximum term of  
22 imprisonment applicable to the offense for which sentence is  
23 being imposed.

24       \* \* \*

25       Section 2. This act shall take effect immediately.