

---

THE GENERAL ASSEMBLY OF PENNSYLVANIA

---

**SENATE BILL**

**No. 871**      Session of  
2003

---

INTRODUCED BY WENGER, CORMAN, MADIGAN, THOMPSON, ROBBINS,  
KASUNIC, M. WHITE, EARLL, WAUGH, LEMMOND, RAFFERTY,  
TARTAGLIONE, COSTA, HELFRICK AND KITCHEN, JULY 15, 2003

---

AS RE-REPORTED FROM COMMITTEE ON APPROPRIATIONS, HOUSE OF  
REPRESENTATIVES, AS AMENDED, NOVEMBER 15, 2004

---

AN ACT

1 Amending Title 22 (Detectives and Private Police) of the  
2 Pennsylvania Consolidated Statutes, further providing for  
3 appointment by nonprofit corporations; providing for humane  
4 society police officers' appointment, qualifications,  
5 authority and discipline; conferring powers and duties on the  
6 Department of Agriculture; establishing the Humane Society  
7 Police Officer Advisory Board ~~and the Humane Society Police~~ ←  
8 ~~Officer Account~~; and making a related repeal.

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

11 Section 1. Section 501(a) and (c) of Title 22 of the  
12 Pennsylvania Consolidated Statutes are amended to read:

13 § 501. Appointment by nonprofit corporations.

14 (a) Appointment authorized.--Any nonprofit corporation, as  
15 defined in 15 Pa.C.S. Pt. II Subpt. C (relating to nonprofit  
16 corporations) maintaining a cemetery or any buildings or grounds  
17 open to the public, or organized for the prevention of cruelty  
18 to children or aged persons [or animals], or one or more of such  
19 purposes, may apply to the court of common pleas of the county

1 of the registered office of the corporation for the appointment  
2 of such persons as the corporation may designate to act as  
3 policemen for the corporation. The court, upon such application,  
4 may by order appoint such persons, or as many of them as it may  
5 deem proper and necessary, to be such policemen.

6 \* \* \*

7 (c) Powers.--Such policemen, so appointed, shall severally  
8 possess and exercise all the powers of a police officer in this  
9 Commonwealth, in and upon, and in the immediate and adjacent  
10 vicinity of, the property of the corporation. Policemen so  
11 appointed for a corporation organized for the prevention of  
12 cruelty to children or aged persons [or animals], or one or more  
13 of such purposes, shall severally possess and exercise all the  
14 powers of a police officer in any county in which they may be  
15 directed by the corporation to act, and are hereby authorized to  
16 arrest persons for the commission of any offense of cruelty to  
17 children or aged persons [or animals]. The keepers of jails and  
18 other places of detention in any county of this Commonwealth  
19 shall receive all persons arrested by such policemen for  
20 purposes of detention until they are dealt with according to  
21 law. Every policeman appointed under this section, when on duty,  
22 shall wear a metallic shield with the words "special officer"  
23 and the name of the corporation for which appointed inscribed  
24 thereon.

25 \* \* \*

26 Section 2. Title 22 is amended by adding a chapter to read:

27 CHAPTER 37

28 HUMANE SOCIETY POLICE OFFICERS

29 Sec.

30 3701. Scope of chapter.

- 1 3702. Definitions.
- 2 3703. Appointment required.
- 3 3704. Appointment by nonprofit corporations.
- 4 3705. Qualifications for appointment.
- 5 ~~3706. Temporary appointment.~~ <—
- 6 ~~3707. Suspension, revocation, limitation and~~  
7 ~~restriction of appointment; restoration of appointment.~~
- 8 ~~3708. Termination of appointment.~~
- 9 ~~3709. Powers and authority; jurisdiction.~~
- 10 ~~3710. Penalties.~~
- 11 ~~3711. Search warrants.~~
- 12 ~~3712. Limitation on possession of firearms.~~
- 13 ~~3713. Training program.~~
- 14 ~~3714. Continuing education program.~~
- 15 ~~3715. Statewide registry.~~
- 16 ~~3716. Humane Society Police Officer Advisory Board.~~
- 17 ~~3717. Humane Society Police Officer Account.~~
- 18 ~~3718. Costs.~~
- 19 ~~3719. Applicability to currently appointed individuals.~~
- 20 3706. SUSPENSION, REVOCATION, LIMITATION AND <—  
21 RESTRICTION OF APPOINTMENT; RESTORATION OF APPOINTMENT.
- 22 3707. TERMINATION OF APPOINTMENT.
- 23 3708. POWERS AND AUTHORITY; JURISDICTION.
- 24 3709. PENALTIES.
- 25 3710. SEARCH WARRANTS.
- 26 3711. LIMITATION ON POSSESSION OF FIREARMS.
- 27 3712. TRAINING PROGRAM.
- 28 3713. CONTINUING EDUCATION PROGRAM.
- 29 3714. STATEWIDE REGISTRY.
- 30 3715. HUMANE SOCIETY POLICE OFFICER ADVISORY BOARD.

1 ~~3716. HUMANE SOCIETY POLICE OFFICER ACCOUNT.~~ <—

2 ~~3717. COSTS.~~

3 3716. COSTS. <—

4 3717. DISPOSITION OF MONEYS.

5 3718. APPLICABILITY TO CURRENTLY APPOINTED INDIVIDUALS.

6 § 3701. Scope of chapter.

7 This chapter deals with humane society police officers.

8 § 3702. Definitions.

9 The following words and phrases when used in this chapter  
10 shall have the meanings given to them in this section unless the  
11 context clearly indicates otherwise:

12 ~~"Account." The Humane Society Police Officer Account <—~~  
13 ~~established in section 3717-3716 (relating to Humane Society <—~~  
14 ~~Police Officer Account).~~

15 "Agricultural animal." Any bovine animal, equine animal,  
16 sheep, goat, pig, poultry, bird, fowl, wild or semiwild animal  
17 or fish or other aquatic animal that is being raised, kept,  
18 transported or utilized for the purpose of or pursuant to  
19 agricultural production.

20 "Agricultural production." The production and preparation  
21 for market of agricultural animals and their products and of  
22 agricultural, agronomic, horticultural, silvicultural and  
23 aquacultural crops and commodities.

24 "Board." The Humane Society Police Officer Advisory Board.

25 "Complainant." Any person who has evidence that an  
26 individual appointed as a humane society police officer has  
27 performed in a manner that is contrary to the standards,  
28 requirements and qualifications prescribed in this chapter for  
29 appointment of individuals as humane society police officers.

30 The term also includes a district attorney or a municipal

1 solicitor.

2 "Convicted." A finding or verdict of guilt, an admission of  
3 guilt or a plea of nolo contendere or receiving probation  
4 without verdict, disposition in lieu of trial or an Accelerated  
5 Rehabilitative Disposition in the disposition of felony charges.

6 "Cruelty to animals laws." The provisions of 18 Pa.C.S. §  
7 5511 (relating to cruelty to animals).

8 "Department." The Department of Agriculture of the  
9 Commonwealth.

10 "Humane society police officer." Any person who holds a  
11 current appointment under this chapter to act as a humane  
12 society police officer for a society or association for the  
13 prevention of cruelty to animals. The term shall include an  
14 individual who is an agent of a society or association for the  
15 prevention of cruelty to animals as "agent" is used in 18  
16 Pa.C.S. § 5511 (relating to cruelty to animals) provided that  
17 individual holds a current appointment under this chapter.

18 "Secretary." The Secretary of Agriculture of the  
19 Commonwealth.

20 "Serious misdemeanor." A criminal offense for which more  
21 than one year in prison can be imposed as a punishment.

22 "Society or association." A nonprofit society or association  
23 duly incorporated pursuant to 15 Pa.C.S. Ch. 53 Subch. A  
24 (relating to incorporation generally) for the purpose of the  
25 prevention of cruelty to animals.

26 § 3703. Appointment required.

27 It shall be unlawful for any individual to hold himself forth  
28 as a humane society police officer unless the individual has  
29 obtained an appointment pursuant to this chapter.

30 § 3704. Appointment by nonprofit corporations.

1 (a) Application for appointment.--A society or association  
2 may apply to the court of common pleas in a ANY county for the <—  
3 appointment of an individual as a humane society police officer  
4 for that county. The court, upon such application WHICH INCLUDES <—  
5 PROOF OF QUALIFICATION UNDER SECTION 3705 (RELATING TO  
6 QUALIFICATIONS FOR APPOINTMENT), shall by order appoint such  
7 person to be a humane society police officer.

8 (b) Oath.--Every individual appointed as a humane society  
9 police officer pursuant to this chapter shall, before entering  
10 upon the duties of the office, take and subscribe to the oath  
11 required by Article VI of the Constitution of Pennsylvania.

12 § 3705. Qualifications for appointment.

13 An individual shall be qualified for an appointment as a  
14 humane society police officer provided the society or  
15 association submits proof satisfactory to the court of common  
16 pleas in each county for which the society or association  
17 directs the individual to act as a humane society police officer  
18 that the individual meets all of the following requirements:

19 (1) Has been a resident of this Commonwealth for the  
20 previous 12 months.

21 (2) Has successfully completed the training program  
22 established pursuant to section ~~3713~~ 3712 (relating to <—  
23 training program).

24 (3) Has obtained a criminal history report from the  
25 Pennsylvania State Police pursuant to 18 Pa.C.S. Ch. 91  
26 (relating to criminal history record information) or a  
27 statement from the Pennsylvania State Police that the  
28 Pennsylvania State Police central repository contains no  
29 pertinent information relating to the individual who is the  
30 subject of the application. The criminal history record

1 information shall be limited to that which may be  
2 disseminated pursuant to 18 Pa.C.S. § 9121(b)(2) (relating to  
3 general regulations).

4 (4) Has not been convicted of an offense graded a felony  
5 or a serious misdemeanor.

6 (5) Has not been convicted of any violation, including a  
7 summary offense, of 18 Pa.C.S. § 5511 (relating to cruelty to  
8 animals).

9 (6) Has not been convicted of an offense in another  
10 jurisdiction, state, territory or country in accordance with  
11 the laws of that jurisdiction, state, territory or country  
12 equivalent to an offense graded a felony or a serious  
13 misdemeanor or an offense of cruelty to animals.

14 ~~§ 3706. Temporary appointment.~~ ←

15 ~~(a) Qualifications. A society or association may petition a~~  
16 ~~court of common pleas in a county for temporary appointment of~~  
17 ~~an individual as a humane society police officer in that county,~~  
18 ~~provided that no other individual is currently appointed to act~~  
19 ~~as a humane society police officer from the society or~~  
20 ~~association and the individual meets all of the following~~  
21 ~~requirements:~~

22 ~~(1) Has been a resident of this Commonwealth for the~~  
23 ~~previous 12 months.~~

24 ~~(2) Holds a current appointment granted under this~~  
25 ~~chapter in another county located within this Commonwealth.~~

26 ~~(3) Has obtained a criminal history report from the~~  
27 ~~Pennsylvania State Police pursuant to 18 Pa.C.S. Ch. 91~~  
28 ~~(relating to criminal history record information) or a~~  
29 ~~statement from the Pennsylvania State Police that the~~  
30 ~~Pennsylvania State Police central repository contains no~~

1 ~~pertinent information relating to the individual who is the~~  
2 ~~subject of the application. The criminal history record~~  
3 ~~information shall be limited to that which may be~~  
4 ~~disseminated pursuant to 18 Pa.C.S. § 9121(b)(2) (relating to~~  
5 ~~general regulations).~~

6 ~~(4) Has not been convicted of an offense graded a felony~~  
7 ~~or a serious misdemeanor.~~

8 ~~(5) Has not been convicted of any violation, including a~~  
9 ~~summary offense, of 18 Pa.C.S. § 5511 (relating to cruelty to~~  
10 ~~animals).~~

11 ~~(6) Has not been convicted of an offense in another~~  
12 ~~jurisdiction, state, territory or country in accordance with~~  
13 ~~the laws of that jurisdiction, state, territory or country~~  
14 ~~equivalent to an offense graded a felony or a serious~~  
15 ~~misdemeanor or an offense of cruelty to animals.~~

16 ~~(b) Term. A temporary appointment under this section shall~~  
17 ~~expire at the end of six months or such time as the temporarily~~  
18 ~~appointed individual or any other individual is permanently~~  
19 ~~appointed by the court of common pleas to act as a humane~~  
20 ~~society police officer in the county, whichever is sooner. No~~  
21 ~~more than one temporary appointment shall be effective for any~~  
22 ~~society or association at any time.~~

23 § 3707 3706. Suspension, revocation, limitation and restriction ←  
24 of appointment; restoration of appointment.

25 (a) Grounds for suspension, revocation, limitation or  
26 restriction.--By its own action or pursuant to a written  
27 affidavit filed by a complainant, the court of common pleas may,  
28 after conducting a hearing, suspend, revoke, limit or restrict  
29 an appointment of an individual to act as a humane society  
30 police officer in the county if the court determines any of the

1 following:

2 (1) Being convicted of a felony or a serious misdemeanor  
3 in any Federal or State court or being convicted of the  
4 equivalent of a felony in any foreign country, territory or  
5 possession.

6 (2) Being convicted of an offense of cruelty to animals  
7 in any Federal or State court or being convicted of the  
8 equivalent of a cruelty to animals offense in any foreign  
9 country, territory or possession.

10 (3) Presenting false credentials or documents or making  
11 a false or misleading statement in the application for  
12 appointment or a certification of completion of additional  
13 training or submitting an application for appointment or a  
14 certification for completion of additional training  
15 containing a false or misleading statement.

16 (4) Carrying or possessing a firearm in the performance  
17 of his or her duties without certification pursuant to  
18 section ~~3712~~ 3711 (relating to limitation on possession of <—  
19 firearms).

20 (5) The individual has conducted his or her authority to  
21 enforce animal cruelty laws in a manner that is substandard  
22 of conduct normally expected of humane society police  
23 officers.

24 (b) Notice to department.--Upon action by the court of  
25 common pleas to ~~refuse~~, suspend, revoke, limit or restrict an <—  
26 appointment, the clerk of courts of the county shall forward  
27 such information to the department for the purpose of the  
28 Statewide registry established pursuant to section ~~3715~~ 3714 <—  
29 (relating to Statewide registry).

30 (c) Restoration.--The court of common pleas may restore a

1 suspended appointment of an individual if the individual  
2 provides to the court evidence sufficient to warrant restoration  
3 and the court determines the grounds for suspension have been  
4 satisfactorily corrected and the individual otherwise qualifies  
5 for appointment. ~~In restoring the appointment, the court may~~ <—  
6 ~~continue to impose limitations and corrective measures the court~~  
7 ~~determines to be necessary to ensure an individual's compliance~~  
8 ~~with the requirements of this chapter.~~

9 § ~~3708~~ 3707. Termination of appointment. <—

10 (a) General rule.--All powers and authority granted to an  
11 individual under section ~~3709~~ 3708 (relating to powers and <—  
12 authority; jurisdiction) shall immediately terminate upon notice  
13 to the individual from the society or association for which  
14 appointed that services are no longer required of the  
15 individual.

16 (b) Notice to court.--The society or association must file  
17 notice within ten days of a termination of an individual as a  
18 humane society police officer with the clerk of courts in each  
19 county in which the individual has been appointed as a humane  
20 society police officer.

21 (c) Notice to department.--The society or association must  
22 file notice within ten days of a termination of an individual as  
23 a humane society police officer with the department for the  
24 purpose of providing information relevant to the Statewide  
25 registry established pursuant to section ~~3715~~ 3714 (relating to <—  
26 Statewide registry).

27 § ~~3709~~ 3708. Powers and authority; jurisdiction. <—

28 (a) Authority limited to county of appointment.--An  
29 individual appointed as a humane society police officer in  
30 accordance with this chapter shall have power and authority to

1 exercise the powers conferred under 18 Pa.C.S. § 5511 (relating  
2 to cruelty to animals) in enforcement of animal cruelty laws  
3 only within the particular county whose court of common pleas  
4 issued the appointment. The individual has no power or authority  
5 to exercise the powers conferred under 18 Pa.C.S. § 5511 in any  
6 other county whose court of common pleas has not issued an  
7 appointment.

8 (b) Notice to district attorney.--Prior to exercising the  
9 power and authority set forth by this chapter within a county,  
10 each appointed humane society police officer shall file notice  
11 along with a copy of the appointment granted under this chapter  
12 with the district attorney of the county.

13 (c) Shield.--Every individual appointed as a humane society  
14 police officer under this chapter shall possess a metallic  
15 shield with the words "humane society police officer" and the  
16 name of the society or association for which the individual is  
17 appointed displayed thereon.

18 (d) Photo identification.--Every individual appointed as a  
19 humane society police officer under this chapter shall have a  
20 photo identification card issued by the department that contains  
21 the following:

22 (1) A photo of the individual taken within the previous  
23 24 months.

24 (2) The name of the individual.

25 (3) The signature of the individual.

26 (4) The name of the society or association for which the  
27 individual is appointed as a humane society police officer.

28 (5) The address and telephone number of the society or  
29 association for which the individual is appointed as a humane  
30 society police officer.

1 (6) The date of issuance of the photo identification  
2 card.

3 § ~~3710~~ 3709. Penalties. <—

4 (a) Criminal penalties.--A person who violates this chapter  
5 commits a misdemeanor of the third degree and shall, upon  
6 conviction, be sentenced to pay a fine of up to \$1,000 or to  
7 imprisonment for not more than 90 days, or both.

8 (b) Civil penalties.--In addition to any criminal penalties  
9 or other civil remedy, a person, association or society who  
10 violates this chapter may be subject to a civil penalty of up to  
11 \$1,000.

12 ~~(c) Disposition. All fines and civil penalties imposed in~~ <—  
13 ~~accordance with this section shall be paid into the account.~~

14 § ~~3711~~ 3710. Search warrants. <—

15 Notwithstanding contrary provisions of 18 Pa.C.S. § 5511(1)  
16 (relating to cruelty to animals) and in addition to the  
17 requirements of existing law, all search warrant applications  
18 filed in connection with alleged violations of cruelty to  
19 animals laws must have the approval of the district attorney in  
20 the county of the alleged offense prior to filing.

21 § ~~3712~~ 3711. Limitation on possession of firearms. <—

22 No individual appointed as a humane society police officer  
23 shall carry, possess or use a firearm in the performance of that  
24 individual's duties unless that individual holds a current and  
25 valid certification in the use and handling of firearms pursuant  
26 to at least one of the following:

27 (1) 53 Pa.C.S. Ch 21 Subch. D (relating to municipal  
28 police education and training).

29 (2) The act of October 10, 1974 (P.L.705, No.235), known  
30 as the Lethal Weapons Training Act.

1 (3) The act of February 9, 1984 (P.L.3, No.2), known as  
2 the Deputy Sheriffs' Education and Training Act.

3 (4) Any other firearms program that has been determined  
4 by the Commissioner of the Pennsylvania State Police to be of  
5 sufficient scope and duration as to provide the participant  
6 with basic training in the use and handling of firearms.

7 § ~~3713~~ 3712. Training program. <—

8 (a) Required training.--Every individual, prior to the  
9 society or association making application for appointment as a  
10 humane society police officer, shall successfully complete the  
11 minimum requirements for initial training prescribed in the  
12 program for initial training of humane society police officers  
13 established in accordance with subsections (b), (c), (d) and  
14 (e).

15 (b) Contracts.--The secretary, with the advice of the board,  
16 shall contract with an accredited college or university,  
17 including a community college or other public or private entity  
18 for the establishment of a program for the training of  
19 individuals to act as humane society police officers. The  
20 contracted entity shall forward information pertaining to an  
21 individual's successful completion of the initial training  
22 program to the department for the purpose of maintaining the  
23 Statewide registry established pursuant to section ~~3715~~ 3714 <—  
24 (relating to Statewide registry).

25 (c) Minimum requirements.--The program for the training of  
26 humane society police officers shall include, at a minimum, 60  
27 hours of instruction in accordance with subsection (d).

28 (d) Curriculum.--The program for the training of humane  
29 society police officers shall provide instruction in the  
30 following instructional areas:

1 (1) At least 36 hours of instruction shall be provided  
2 on the following:

3 (i) Pennsylvania cruelty to animal laws.

4 (ii) Pennsylvania Rules of Criminal Procedure.

5 (iii) Care and treatment of animals.

6 (iv) Proper execution of search warrants.

7 (v) Proper search and seizure practices.

8 (vi) Any other areas relating to law enforcement  
9 duties.

10 (2) At least 24 hours of instruction shall be provided  
11 on the following:

12 (i) Animal husbandry practices constituting normal  
13 agricultural operation.

14 (ii) Practices accepted in the agricultural industry  
15 in the raising, keeping and production of agricultural  
16 animals.

17 (iii) Characteristics of agricultural animals likely  
18 evidencing care that is in violation of the cruelty to  
19 animal laws.

20 (iv) Proper care and handling of agricultural  
21 animals pursuant to enforcement of the cruelty to animals  
22 laws.

23 (v) Treatments administered and research conducted  
24 during the normal scope of veterinarian practices.

25 (e) Final examination.--The training program shall require  
26 individuals, as a prerequisite to successful completion of the  
27 program, to take and pass a final examination that sufficiently  
28 measures the individuals's knowledge and understanding of the  
29 instructional material.

30 (f) Current officers.--Individuals who have been appointed

1 as humane society police officers prior to the effective date of  
2 this chapter are exempt from the initial training requirements  
3 pursuant to this section provided that the individual can  
4 provide proof to the secretary of successful completion of a  
5 similar training program for humane society police officers  
6 established under the act of December 12, 1994 (P.L.956,  
7 No.135), known as the Humane Society Police Officer Enforcement  
8 Act.

9 § ~~3714~~ 3713. Continuing education program. ←

10 (a) Required training.--During each two-year period  
11 following the date in which an individual has been initially  
12 appointed as a humane society police officer, the individual  
13 shall successfully complete the minimum requirements for  
14 additional training prescribed in the program for continuous  
15 education of humane society police officers established in  
16 accordance with subsections (b), (c), (d) and (e).

17 (b) Contracts.--The secretary, with the advice of the board,  
18 shall contract with an accredited college or university,  
19 including a community college, or other public or private entity  
20 for the establishment of a continuing education program for the  
21 training of individuals to act as humane society police  
22 officers. The contracted entity shall forward information  
23 pertaining to an individual's successful completion of the  
24 continuing education program to the department for the purpose  
25 of maintaining the Statewide registry established pursuant to  
26 section ~~3715~~ 3714 (relating to Statewide registry.) ←

27 (c) Minimum requirements.--The continuing education program  
28 for the training of humane society police officers shall  
29 include, at a minimum, ten hours of instruction in accordance  
30 with subsection (d).

1 (d) Curriculum.--The program for the training of humane  
2 society police officers shall provide instruction in the  
3 following instructional areas:

4 (1) At least six hours of instruction shall be provided  
5 on the following:

6 (i) Pennsylvania cruelty to animals laws.

7 (ii) Pennsylvania Rules of Criminal Procedure.

8 (iii) Care and treatment of animals.

9 (iv) Proper completion of search warrants.

10 (v) Proper search and seizure practices.

11 (vi) Any other areas relating to law enforcement  
12 duties.

13 (2) At least four hours of instruction shall be provided  
14 on the following:

15 (i) Animal husbandry practices constituting normal  
16 agricultural operation.

17 (ii) Practices accepted in the agricultural industry  
18 in the raising, keeping and production of agricultural  
19 animals.

20 (iii) Characteristics of agricultural animals likely  
21 evidencing care that is in violation of the cruelty to  
22 animals laws.

23 (iv) Proper care and handling of agricultural  
24 animals pursuant to enforcement of the cruelty to animals  
25 laws.

26 (v) Treatments administered and research conducted  
27 during the normal scope of veterinarian practices.

28 (e) Automatic suspension.--Failure to complete the  
29 continuing education program as prescribed in subsection (a)  
30 shall result in an individual's automatic suspension of the

1 powers and authority set forth in section ~~3709~~ 3708 (relating to <—  
2 powers and authority; jurisdiction) until such time as the  
3 individual successfully completes the continuing education  
4 requirements.

5 § ~~3715~~ 3714. Statewide registry. <—

6 (a) Establishment.--There is hereby established a Statewide  
7 registry within the department for the purpose of maintaining  
8 information relating to individuals appointed as humane society  
9 police officers.

10 (b) Access to registry.--The information included within the  
11 Statewide registry shall be made accessible to the public  
12 through the department's World Wide Web site and shall include  
13 the following:

14 (1) The name of each individual appointed as a humane  
15 society police officer.

16 (2) The name and address of the society or association  
17 for which each individual is appointed as a humane society  
18 police officer.

19 (3) The counties in which the individual has been  
20 appointed as a humane society police officer and dates of  
21 appointment.

22 (4) The counties in which the individual has had an  
23 appointment revoked, suspended, limited or restricted, the  
24 action taken by the court and dates of action.

25 (5) The dates of successful completion of the training  
26 program established in section ~~3713~~ 3712 (relating to <—  
27 training program) and the continuing education program  
28 established in section ~~3714~~ 3713 (relating to continuing <—  
29 education program).

30 (c) Updates.--The department shall update the registry

1 within ten days of receiving information required for inclusion  
2 on the Statewide registry.

3 (d) Confidential information.--At no time shall the home  
4 address or any other related personal information of an  
5 individual appointed as a humane society police officer be made  
6 public through the Statewide registry.

7 § ~~3716~~ 3715. Humane Society Police Officer Advisory Board. <—

8 (a) Advisory board.--The secretary shall appoint a Humane  
9 Society Police Officer Advisory Board to advise him in the  
10 administration of this chapter.

11 (b) Membership.--The board shall consist of the following:

12 (1) The secretary or his designee, who shall act as a  
13 chairman.

14 (2) A representative of a society or association for the  
15 prevention of cruelty to animals.

16 (3) A humane society police officer.

17 (4) A representative of a Statewide veterinary medical  
18 association.

19 (5) A representative of a farm organization.

20 (6) A district attorney or his designee.

21 (7) A representative of the police.

22 (8) A district justice.

23 (9) A court of common pleas judge or his designee.

24 (10) A clerk of courts.

25 (11) A REPRESENTATIVE OF THE PENNSYLVANIA GAME  
26 COMMISSION. <—

27 (c) Terms.--The length of the initial term of each  
28 appointment to the board shall be set by the secretary and shall  
29 be staggered so that the terms of approximately one-third of the  
30 appointments expire every other year.

1 (d) Absences.--Three consecutive unexcused absences from  
2 regular board meetings or failure to attend at least 50% of the  
3 regularly scheduled board meetings in any calendar year shall be  
4 considered cause for termination of appointment unless the  
5 secretary, upon written request of the member, finds that the  
6 member should be excused from attending a meeting because of  
7 illness or death of a family member or for a similar emergency.

8 (e) Vacancies.--Vacancies in the membership of the board  
9 shall be filled for the balance of an unexpired term in the same  
10 manner as the original appointment.

11 (f) Recommendations.--The board may make nonbinding  
12 recommendations to the secretary on all matters related to the  
13 provisions of this chapter.

14 ~~§ 3717 3716. Humane Society Police Officer Account.~~ <—

15 ~~(a) Establishment. There is hereby established the Humane~~  
16 ~~Society Police Officer Account, a special restricted account~~  
17 ~~within the General Fund.~~

18 ~~(b) Sources. All money paid into the State Treasury under~~  
19 ~~the provisions of this chapter, including, but not limited to,~~  
20 ~~fees, fines, penalties and surcharges, shall be paid into the~~  
21 ~~Humane Society Police Officer Account.~~

22 ~~(c) Purpose. The department shall use the funds in the~~  
23 ~~account for the following:~~

24 ~~(1) All expenses of the secretary and the department in~~  
25 ~~administering their duties under this chapter.~~

26 ~~(2) All payments for promotional and educational~~  
27 ~~activities.~~

28 ~~(3) All training and continuing education required under~~  
29 ~~sections 3713 (relating to training program) and 3714 3712~~ <—

30 ~~(RELATING TO TRAINING PROGRAM) AND 3713 (relating to~~

1 continuing education program).

2 ~~§ 3718 3717. Costs.~~ <—

3 ~~(a) Levy and imposition. In addition to any fines, fees or~~

4 § 3716. COSTS. <—

5 IN ADDITION TO ANY FINES, FEES OR other penalties levied or  
6 imposed under this chapter or any other statute, a cost of \$50  
7 shall be imposed upon conviction for any violation of 18 Pa.C.S.

8 § 5511 (relating to cruelty to animals) other than a summary  
9 offense. Costs collected under this ~~subsection~~ SECTION shall be <—

10 disposed of in accordance with ~~subsection (b)~~. SECTION 3717 <—

11 (RELATING TO DISPOSITION OF MONEYS).

12 ~~(b) Disposition. Notwithstanding the provisions of 42~~ <—

13 § 3717. DISPOSITION OF MONEYS. <—

14 NOTWITHSTANDING THE PROVISIONS OF 42 Pa.C.S. §§ 3571

15 (relating to Commonwealth portion of fines, etc.) and 3573

16 (relating to municipal corporation portion of fines, etc.), all

17 costs imposed and collected under ~~subsection (a)~~ SECTIONS 3709 <—

18 (RELATING TO PENALTIES) AND 3716 (RELATING TO COSTS) by a

19 division of the unified judicial system existing under section 1

20 of Article V of the Constitution of Pennsylvania and 42 Pa.C.S.

21 § 301 (relating to unified judicial system) shall be remitted to

22 the Commonwealth for ~~deposit in the Humane Society Police~~ <—

23 ~~Officer Account established pursuant to section 3717 3716~~

24 ~~(relating to Humane Society Police Officer Account). The costs~~

25 ~~collected under subsection (a) shall not be used for any other~~

26 ~~purpose.~~ USE BY THE DEPARTMENT FOR ADMINISTERING THIS CHAPTER. <—

27 § ~~3719~~ 3718. Applicability to currently appointed individuals. <—

28 Any individual appointed prior to the effective date of this  
29 chapter as a humane society police officer in the county of the  
30 registered office of the society or association for which the

1 individual was previously appointed shall not be required to  
2 apply for appointment by the court of common pleas in that  
3 county under this chapter. Such individual shall be required to  
4 apply for appointment pursuant to section 3704 (relating to  
5 appointment by nonprofit corporations) in each county other than  
6 the initial county of appointment if directed by the society or  
7 association.

8 Section 3. The act of December 12, 1994 (P.L.956, No.135),  
9 known as the Humane Society Police Officer Enforcement Act, is  
10 repealed.

11 Section 4. This act shall take effect in 180 days.