

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1065 Session of
2007

INTRODUCED BY SCAVELLO, BRENNAN, BUXTON, CARROLL, CASORIO,
DePASQUALE, FABRIZIO, GOODMAN, HARHAI, HENNESSEY, JOSEPHS,
W. KELLER, KENNEY, LEACH, MACKERETH, MOYER, MURT, O'NEILL,
READSHAW, REICHLEY, SCHRODER, TRUE, WATSON, YOUNGBLOOD AND
FRANKEL, APRIL 18, 2007

REFERRED TO COMMITTEE ON JUDICIARY, APRIL 18, 2007

AN ACT

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

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

6 Section 1. Section 5511(c)(1) of Title 18 of the
7 Pennsylvania Consolidated Statutes is amended and the section is
8 amended by adding a subsection to read:

9 § 5511. Cruelty to animals.

10 * * *

11 (c) Cruelty to animals.--

12 (1) A person commits an offense if he wantonly or
13 cruelly illtreats, overloads, beats, otherwise abuses any
14 animal, or neglects any animal as to which he has a duty of
15 care, whether belonging to himself or otherwise, or abandons
16 any animal, or deprives any animal of necessary sustenance,
17 potable drink, shelter or veterinary care, or access to clean

1 and sanitary shelter which will protect the animal against
2 inclement weather and preserve the animal's body heat and
3 keep it dry.

4 * * *

5 (c.1) Tethering of dogs.--

6 (1) Except as otherwise provided under paragraph (2), a
7 person commits a summary offense if he tethers a dog outside
8 and unattended to any stationary object by use of a restraint
9 between the hours of 10 p.m. and 6 a.m. or fails to satisfy
10 the following:

11 (i) The tether used shall be placed or attached so
12 that the dog cannot become entangled with other objects
13 and to allow the dog to roam the full range of the
14 tether. The tether must be of a type commonly used for
15 the size dog involved. No tow chain may be used.

16 (ii) The tether must be attached to the dog by means
17 of a well-fitted collar or body harness that will not
18 cause trauma or injury to the dog. No choke, pinch, prong
19 or other chain collar may be used.

20 (iii) The tether must be a minimum of six feet long
21 or at least five times the length of the dog as measured
22 from the tip of its nose to the base of its tail,
23 whichever is longer, and must allow the dog convenient
24 and unfettered access to shelter and food and water
25 containers.

26 (iv) While tethered, the dog must be provided with
27 protection from the direct rays of the sun, and at least
28 one area of shade other than the shelter must be
29 provided.

30 (2) The following activity shall not result in an

1 offense under paragraph (1):

2 (i) Tethering a dog while actively engaged in or
3 actively training for an activity that is conducted
4 pursuant to a valid license issued by the Commonwealth if
5 the activity for which the license is issued is
6 associated with the use or presence of a dog.

7 (ii) Tethering a dog while actively engaged in
8 conduct that is directly related to the business of
9 shepherding or herding cattle or livestock.

10 (iii) Tethering a dog while actively engaged in
11 conduct that is directly related to the business of
12 cultivating agricultural products if the restraint is
13 reasonably necessary for the safety of the dog.

14 (iv) Tethering a dog pursuant to the requirements of
15 a camping or recreational area.

16 (3) A person who commits an offense under this
17 subsection may, upon conviction, and in addition to any other
18 penalty authorized by law, be subject to forfeiture of the
19 dog.

20 Section 2. This act shall take effect in 60 days.