
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1435 Session of
2010

INTRODUCED BY ALLOWAY, DINNIMAN, WASHINGTON, FERLO, COSTA,
O'PAKE, McILHINNEY, WOZNIAK, MUSTO, RAFFERTY, LOGAN,
ERICKSON, FARNESE AND LEACH, JULY 8, 2010

REFERRED TO AGRICULTURE AND RURAL AFFAIRS, JULY 8, 2010

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
18 and sanitary shelter which will protect the animal against

1 inclement weather and preserve the animal's body heat and
2 keep it dry.

3 * * *

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

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

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

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

19 (iii) The tether must be a minimum of six feet long
20 or at least five times the length of the dog as measured
21 from the tip of its nose to the base of its tail,
22 whichever is longer, and must allow the dog convenient
23 and unfettered access to shelter and food and water
24 containers. The tether may not become wrapped around any
25 appendage such that it restricts the dog's movement.

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 (v) A tethered dog must be free of open sores or

1 wounds on its body.

2 (vi) A dog may not be tethered outside during
3 periods of temperature below 32 degrees Farenheit or
4 above 90 degrees Farenheit, or when a weather advisory or
5 warning has been issued.

6 (2) The following activity shall not result in an
7 offense under paragraph (1):

8 (i) Tethering a dog for a period not to exceed 15
9 minutes as long as the dog is not in danger or a nuisance
10 or does not put the public in danger.

11 (ii) Tethering a dog while actively engaged in or
12 actively training for an activity that is conducted
13 pursuant to a valid license issued by the Commonwealth if
14 the activity for which the license is issued is
15 associated with the use or presence of a dog.

16 (iii) Tethering a dog that is used in the course of
17 commercial agricultural production or is used for the
18 protection of commercial farm property, agricultural
19 supplies or products.

20 (iv) Tethering a dog while actively participating in
21 or attending an organized dog show, field trial, agility
22 event, herding contest or other similar exposition or
23 event, of a limited duration, that involves the judging
24 or evaluation of dogs.

25 (v) Tethering a dog being raised, trained or
26 utilized for sled racing so long as the dog is regularly
27 untethered for exercise and training.

28 (vi) Tethering a dog pursuant to the requirements of
29 a camping or recreational area.

30 (3) A person who commits an offense under this

1 subsection may, upon conviction, and in addition to any other
2 penalty authorized by law, be subject to forfeiture of the
3 dog.

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