

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 164 Session of 2013

INTRODUCED BY STEPHENS, MAHER, B. BOYLE, BROOKS, V. BROWN, CLYMER, D. COSTA, COX, FRANKEL, GOODMAN, HARHAI, HESS, KORTZ, MACKENZIE, MCCARTER, MCNEILL, O'BRIEN, O'NEILL, PICKETT, RAVENSTAHL, READSHAW, ROCK, ROZZI, SCHLOSSBERG, WATSON, WHITE, SCAVELLO, K. BOYLE, SAYLOR, HAGGERTY, CALTAGIRONE, HANNA, DIGIROLAMO, KAVULICH, HARKINS, FARINA, MATZIE, GIBBONS, R. MILLER, SONNEY, DeLUCA, GILLEN, MURT, SIMMONS, GINGRICH, SWANGER, BRADFORD, FARRY, DAVIS, GILLESPIE, TOBASH, DEASY, SANTARSIERO, SAINATO, DAVIDSON, PAINTER AND DENLINGER, JANUARY 17, 2013

AS REPORTED FROM COMMITTEE ON JUDICIARY, HOUSE OF REPRESENTATIVES, AS AMENDED, JUNE 4, 2013

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(q) of Title 18 of the Pennsylvania
7 Consolidated Statutes is amended by adding a definition and the
8 section is amended by adding a subsection to read:

9 § 5511. Cruelty to animals.

10 \* \* \*

11 (h.2) Possession of animal fighting paraphernalia.--A person<--
12 IN ADDITION TO ANY OTHER PENALTY PROVIDED BY LAW, A PERSON <--
13 commits a misdemeanor of the third degree if he knowingly owns
14 or possesses animal fighting paraphernalia.

1 \* \* \*

2 (q) Definitions.--As used in this section, the following  
3 words and phrases shall have the meanings given to them in this  
4 subsection:

5 \* \* \*

6 "Animal fighting paraphernalia." Any device, implement,  
7 object, facility, space or drug used, or intended to be used,  
8 for animal fighting, to train an animal for animal fighting or  
9 in furtherance of animal fighting. IN DETERMINING WHETHER AN <--  
10 OBJECT IS ANIMAL FIGHTING PARAPHERNALIA, A COURT OR OTHER  
11 AUTHORITY SHOULD CONSIDER STATEMENTS BY AN OWNER OR BY ANYONE IN  
12 CONTROL OF THE OBJECT CONCERNING ITS USE, ANY PRIOR CONVICTIONS  
13 UNDER FEDERAL OR STATE LAW RELATING TO ANIMAL FIGHTING, THE  
14 PROXIMITY OF THE OBJECT IN TIME AND SPACE TO THE DIRECT  
15 VIOLATION OF THIS SECTION, DIRECT OR CIRCUMSTANTIAL EVIDENCE OF  
16 THE INTENT OF THE ACCUSED TO DELIVER THE OBJECT TO PERSONS WHOM  
17 HE OR SHE KNOWS OR SHOULD REASONABLY KNOW INTENDS TO USE THE  
18 OBJECT TO FACILITATE A VIOLATION OF THIS SECTION, ORAL OR  
19 WRITTEN INSTRUCTIONS PROVIDED WITH OR IN THE VICINITY OF THE  
20 OBJECT CONCERNING ITS USE, DESCRIPTIVE MATERIALS ACCOMPANYING  
21 THE OBJECT WHICH EXPLAIN OR DEPICT ITS USE AND ALL OTHER  
22 LOGICALLY RELEVANT FACTORS.

23 \* \* \*

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