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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 709 Session of  
2003

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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, CRUZ AND COY, MARCH 6, 2003

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SENATOR GREENLEAF, JUDICIARY, IN SENATE, AS AMENDED,  
SEPTEMBER 30, 2003

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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 SECTION 1. SECTION 5511(C) OF TITLE 18 OF THE PENNSYLVANIA <—  
11 CONSOLIDATED STATUTES IS AMENDED AND THE SECTION IS AMENDED BY  
12 ADDING A SUBSECTION TO READ:

13 § 5511. Cruelty to animals.



1                   (A) THE ACTION OR OMISSION FOR WHICH THE PERSON  
2                   WAS CONVICTED FOR A SUBSEQUENT TIME WAS PERFORMED ON  
3                   A DOG OR CAT.

4                   (B) THE DOG OR CAT WAS SERIOUSLY INJURED,  
5                   SUFFERED SEVERE PHYSICAL DISTRESS OR WAS PLACED AT  
6                   IMMINENT RISK OF SERIOUS PHYSICAL HARM AS THE RESULT  
7                   OF THE PERSON'S ACTION OR OMISSION.

8           (3) THIS SUBSECTION SHALL NOT APPLY TO ACTIVITY  
9           UNDERTAKEN IN NORMAL AGRICULTURAL OPERATION.

10           \* \* \*

11           ~~(m.2) Certain offenses. In addition to any other penalty~~           <—  
12           ~~provided by law, a person convicted of a second or subsequent~~  
13           ~~offense of cruelty to animals involving a dog or cat under~~  
14           ~~subsection (c) shall be charged with a misdemeanor of the third~~  
15           ~~degree.~~

16           ~~(m.3) (M.2) Prohibition of ownership.--Notwithstanding any~~           <—  
17           ~~provision of law and in addition to any other penalty provided~~  
18           ~~by law, the authority imposing sentence upon a conviction for~~  
19           ~~any violation of this section may order the prohibition or~~  
20           ~~limitation of the defendant's ownership, possession, control or~~  
21           ~~custody of animals or employment with the care of animals for a~~  
22           ~~period of time not to exceed the statutory maximum term of~~  
23           ~~imprisonment applicable to the offense for which sentence is~~  
24           ~~being imposed.~~

25           \* \* \*

26           Section 2. This act shall take effect immediately.