

THE GENERAL ASSEMBLY OF PENNSYLVANIA

**HOUSE BILL**  
**No. 1061** Session of  
1991

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SERAFINI, BILLOW, LAUGHLIN, KUKOVICH AND SALOOM,  
APRIL 9, 1991

REFERRED TO COMMITTEE ON AGRICULTURE AND RURAL AFFAIRS,  
APRIL 9, 1991

AN ACT

1 Providing for a program to be administered by the Department of  
2 Agriculture relating to educating pet owners on the need for  
3 pet sterilization; providing for refunds to be paid to pet  
4 owners for pet sterilization; establishing the Pet Population  
5 Control Fund; and providing penalties.

6 The General Assembly of the Commonwealth of Pennsylvania  
7 hereby enacts as follows:

8 Section 1. Short title.

9 This act shall be known and may be cited as the Pet  
10 Population Control Act.

11 Section 2. Definitions.

12 The following words and phrases when used in this act shall  
13 have the meanings given to them in this section unless the  
14 context clearly indicates otherwise:

15 "Department." The Department of Agriculture of the  
16 Commonwealth.

17 "Fund." The Pet Population Control Fund.

1 "Pet." A dog or cat.

2 "Veterinary practice." The practice of veterinary medicine  
3 by a person licensed under the act of December 27, 1974  
4 (P.L.995, No.326), known as the Veterinary Medicine Practice  
5 Act.

6 Section 3. Pet Population Control Program.

7 The department shall establish and implement the Pet  
8 Population Control Program. The purpose of this program shall be  
9 to reduce the population of unwanted and stray dogs and cats by  
10 encouraging the owners of these pets to have them permanently  
11 sexually sterilized, thereby reducing potential threats to  
12 public health and safety posed by the growing population of  
13 these unwanted and stray animals, and by providing financial  
14 assistance for pet sterilization to owners of dogs and cats. The  
15 department shall develop a Statewide program to educate all pet  
16 owners of the need for spaying and neutering pets, and shall  
17 advertise the State program.

18 Section 4. State assistance for spaying and neutering.

19 The department shall provide a reimbursement program for  
20 eligible pet owners for the spaying and neutering of pets.

21 Section 5. Pet Population Control Fund.

22 (a) Establishment.--There is hereby established a special  
23 fund in the State Treasury to be known as the Pet Population  
24 Control Fund, to which shall be credited all surcharges  
25 collected under this act.

26 (b) Surcharge.--A 1¢ per pound surcharge shall be imposed on  
27 all dog and cat food for sale at wholesale for consumption in  
28 this Commonwealth. This surcharge shall be paid by the purchaser  
29 and shall be forwarded directly to the State Treasury for  
30 deposit into the fund.

1 (c) Interest.--Any interest earned by moneys in the Pet  
2 Population Control Fund shall be made part of the fund.

3 (d) Requisitions.--The department shall requisition from the  
4 fund all available amounts necessary to provide a reimbursement  
5 program for the sterilization of pets in this Commonwealth.

6 (e) Appropriation.--As much as may be necessary of the  
7 moneys in the Pet Population Control Fund is hereby appropriated  
8 to pay:

9 (1) All salaries of the employees of the department in  
10 administering their duties under this act.

11 (2) All expenses of the Secretary of Agriculture and the  
12 department in administering their duties under this act.

13 (3) Reimbursements to pet owners for 50% of the  
14 veterinarian's fee to spay or neuter their pets, but not to  
15 exceed the following:

16 (i) For cat neuters - \$20.

17 (ii) For cat spays - \$35.

18 (iii) For dog neuters - \$40.

19 (iv) For dog spays - \$55.

20 (4) Ongoing education programs to inform pet owners and  
21 potential pet owners of the consequences of pet  
22 overpopulation.

23 (5) Advertising for the State program.

24 Section 6. Pet sterilization.

25 (a) Rules and regulations.--The department shall promulgate  
26 rules and regulations necessary to carry out the purposes of  
27 this act. Reimbursement shall be based on available funds.

28 (b) Display.--The department shall require veterinary  
29 practices, pet shops, public and private shelters and kennels to  
30 display the rules and regulations of the Pet Population Control

1 Program in a conspicuous location.

2 (c) Procedure.--Any person submitting a pet for sexual  
3 sterilization under this act shall:

4 (1) Sign a consent form certifying that the person is  
5 the owner of the pet, or is authorized by the owner to  
6 present the pet for the procedure.

7 (2) Pay to the veterinary practice the fee for the  
8 sterilization surgery.

9 (3) Submit an application form for reimbursement to the  
10 department.

11 (d) Eligibility.--In order to be eligible to participate in  
12 the program, the owner of the pet shall be a resident of this  
13 Commonwealth.

#### 14 Section 7. Refunds.

15 (a) Reimbursement.--Upon submission to the department of a  
16 properly completed application form for reimbursement, the  
17 department shall reimburse qualifying pet owners a refund for  
18 50% of the veterinarian's fee to spay or neuter their pets, but  
19 not to exceed the following:

20 (1) For cat neuters - \$20.

21 (2) For cat spays - \$35.

22 (3) For dog neuters - \$40.

23 (4) For dog spays - \$55.

24 (b) Application form.--The application form for  
25 reimbursement shall include, but not be limited to, the  
26 following:

27 (1) The name and address of the pet owner.

28 (2) The name and address of the veterinarian who  
29 performed the surgery.

30 (3) A description of the pet as to species, breed, size

1 and sex.

2 (4) A brief description of the procedure performed.

3 (5) An affidavit by the veterinary practice that the  
4 sterilization has been completed and of the amount paid for  
5 the surgical procedure and by whom.

6 (6) Certification by the pet owner of the actual amount  
7 paid by the owner for the surgical procedure.

8 (7) The name of any other organization providing direct  
9 financial assistance, in whole or in part, for the cost of  
10 the surgical procedure and the amount provided.

11 (c) Application for reimbursement.--Application for the  
12 refund must be made no later than six months from the date of  
13 the surgery.

14 Section 8. Offense.

15 (a) Offenses defined.--A person commits a misdemeanor of the  
16 second degree if he knowingly:

17 (1) Submits false or fraudulent proof of eligibility.

18 (2) Furnishes any veterinary practice with inaccurate  
19 information concerning the ownership of a pet submitted for a  
20 pet sterilization procedure.

21 (3) Furnishes the department with false information  
22 concerning the actual amount paid for the surgical procedure  
23 by the pet owner or submits a fraudulent application for  
24 reimbursement under this act.

25 (b) Violation of Veterinary Medicine Practice Act.--  
26 Providing false information under this section shall be a  
27 violation of the act of December 27, 1974 (P.L.995, No.326),  
28 known as the Veterinary Medicine Practice Act.

29 (c) Reports by department.--The department shall report all  
30 violations of this act to:

- 1           (1)   Appropriate law enforcement authorities.
- 2           (2)   The State Board of Veterinary Medical Examiners.
- 3 Section 9.   Effective date.
- 4       This act shall take effect in six months.