

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2242 Session of
2000

INTRODUCED BY O'BRIEN, MICOZZIE, ADOLPH, CIVERA, LEDERER,
KELLER, MCGEEHAN, BUTKOVITZ, WOGAN, STABACK AND CASORIO,
FEBRUARY 9, 2000

AS AMENDED ON THIRD CONSIDERATION, HOUSE OF REPRESENTATIVES,
APRIL 18, 2000

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, AUTHORIZING THE ATTORNEY GENERAL TO <—
3 ISSUE SUBPOENAS FOR THE PURPOSE OF INVESTIGATING GASOLINE AND
4 FUEL PRICES; further providing for cruelty to animals; <—
5 PROHIBITING CERTAIN PRACTICES BY TELEMARKETERS; AND IMPOSING
6 PENALTIES.

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

9 ~~Section 1. Section 5511(a)(2.1) of Title 18 of the~~ <—
10 ~~Pennsylvania Consolidated Statutes is amended to read:~~

11 SECTION 1. TITLE 18 OF THE PENNSYLVANIA CONSOLIDATED <—
12 STATUTES IS AMENDED BY ADDING A SECTION TO READ:

13 § 113. ATTORNEY GENERAL INVESTIGATION INTO GASOLINE PRICES.

14 TO INVESTIGATE THE AVAILABILITY, SUPPLY AND PRICE OF
15 GASOLINE, DIESEL FUEL, HEATING OIL, KEROSENE AND PROPANE IN
16 PENNSYLVANIA, THE ATTORNEY GENERAL IS AUTHORIZED TO ISSUE
17 SUBPOENAS FOR PERSONS AND OF DOCUMENTS THAT MAY ASSIST THE
18 ATTORNEY GENERAL IN INVESTIGATING THE CAUSES OF ANY PRICE HIKES

1 OF MORE THAN 50% TO PENNSYLVANIA CONSUMERS FOR ANY OF THESE
2 FUELS IN ANY PERIOD UP TO A YEAR TO DETERMINE IF ANY OFFENSE HAS
3 BEEN COMMITTED UNDER THIS TITLE OR ANY FEDERAL LAW.

4 SECTION 2. SECTION 5511(A)(2.1) OF TITLE 18 IS AMENDED TO
5 READ:

6 § 5511. Cruelty to animals.

7 (a) Killing, maiming or poisoning domestic animals or zoo
8 animals, etc.--

9 * * *

10 (2.1) (i) A person commits a misdemeanor of the
11 [second] first degree if he willfully and maliciously:

12 (A) Kills, maims, mutilates, tortures or
13 disfigures any dog or cat, whether belonging to
14 himself or otherwise.

15 (B) Administers poison to or exposes any
16 poisonous substance with the intent to administer
17 such poison to any dog or cat, whether belonging to
18 himself or otherwise.

19 (ii) Any person convicted of violating the
20 provisions of this paragraph shall be sentenced to pay a
21 fine of not less than \$1,000 or to imprisonment for not
22 more than [two] FIVE years, or both. The court shall also <—
23 order a presentence mental evaluation. A subsequent
24 conviction under this paragraph shall be a felony of the
25 third degree. This paragraph shall apply to dogs and cats
26 only.

27 (iii) The killing of a dog or cat by the owner of
28 that animal is not malicious if it is accomplished in
29 accordance with the act of December 22, 1983 (P.L.303,
30 No.83), referred to as the Animal Destruction Method

1 Authorization Law.

2 * * *

3 SECTION 3. TITLE 18 IS AMENDED BY ADDING A SECTION TO READ: <—

4 § 7330. PROHIBITION OF CERTAIN PRACTICES BY TELEMARKETERS.

5 (A) OFFENSE DEFINED.--NO TELEMARKETER, AS DEFINED IN SECTION
6 2 OF THE ACT OF DECEMBER 4, 1996 (P.L.911, NO.147), KNOWN AS THE
7 TELEMARKETER REGISTRATION ACT, SHALL REFUSE OR OTHERWISE FAIL TO
8 DISCLOSE THE NAME, CITY, STATE AND TELEPHONE NUMBER OF THE
9 TELEMARKETER AFTER A RECIPIENT OF A TELEPHONE SOLICITATION BY
10 THE TELEMARKETER REQUESTS SUCH INFORMATION.

11 (B) PENALTY.--A PERSON WHO VIOLATES SUBSECTION (A) COMMITS A
12 SUMMARY OFFENSE AND SHALL, UPON CONVICTION, BE SENTENCED TO PAY
13 A FINE OF \$250.

14 Section ~~2~~ 4. This act shall take effect in 60 days. <—