
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1254 Session of
2009

INTRODUCED BY SCAVELLO, SIPTROTH, CALTAGIRONE, BEYER, BRADFORD,
BRENNAN, BRIGGS, BURNS, BUXTON, CARROLL, CASORIO, P. COSTA,
CRUZ, DALLY, DePASQUALE, DiGIROLAMO, FABRIZIO, FRANKEL,
FREEMAN, GINGRICH, GRUCELA, HARHAI, HARHART, HARKINS,
HENNESSEY, W. KELLER, KILLION, KORTZ, MAHER, MANN, MELIO,
MENSCH, MILNE, MOUL, MURPHY, MURT, MUSTIO, M. O'BRIEN,
O'NEILL, PAYTON, READSHAW, REICHLEY, SAINATO, SANTONI,
SCHRODER, SOLOBAY, J. TAYLOR, TRUE, WALKO, WATSON AND
YOUNGBLOOD, APRIL 13, 2009

REFERRED TO COMMITTEE ON JUDICIARY, APRIL 13, 2009

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

1 any animal, or deprives any animal of necessary sustenance,
2 potable drink, shelter or veterinary care, or access to clean
3 and sanitary shelter which will protect the animal against
4 inclement weather and preserve the animal's body heat and
5 keep it dry.

6 * * *

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

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

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

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

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

29 (iv) While tethered, the dog must be provided with
30 protection from the direct rays of the sun, and at least

1 one area of shade other than the shelter must be
2 provided.

3 (v) A tethered dog must be free of open sores or
4 wounds on its body.

5 (vi) A dog may not be tethered outside during
6 periods of extreme weather such as periods of unusually
7 cold or hot temperatures, or when a weather advisory or
8 warning has been issued.

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

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

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

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

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

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

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

3 (3) A person who commits an offense under this
4 subsection may, upon conviction, and in addition to any other
5 penalty authorized by law, be subject to forfeiture of the
6 dog.

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