

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1231 Session of
2015

INTRODUCED BY RESCHENTHALER, ARGALL, TEPLITZ, SCHWANK, VOGEL,
RAFFERTY, BREWSTER, COSTA, SABATINA, BARTOLOTTA, ALLOWAY AND
VULAKOVICH, MAY 26, 2016

REFERRED TO JUDICIARY, MAY 26, 2016

AN ACT

1 Amending Titles 18 (Crimes and Offenses) and 23 (Domestic
2 Relations) of the Pennsylvania Consolidated Statutes, in
3 riot, disorderly conduct and related offenses, further
4 providing for cruelty to animals; and, in child protective
5 services, further providing for persons required to report
6 suspected child abuse.

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

9 Section 1. Section 5511(q) of Title 18 of the Pennsylvania
10 Consolidated Statutes is amended and the section is amended by
11 adding a subsection to read:

12 § 5511. Cruelty to animals.

13 * * *

14 (c.1) Mandatory reporting.--If a social services employee
15 forms a reasonable suspicion that an animal is the victim of
16 cruelty, he shall report the suspicion to an agent of a society
17 or association for the prevention of cruelty to animals
18 incorporated under the laws of this Commonwealth.

19 * * *

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

"Animal fighting." Fighting or baiting any bull, bear, dog, cock or other creature.

"Animal fighting paraphernalia." Any device, implement, object or drug used or intended to be used for animal fighting, to train an animal for animal fighting or in furtherance of animal fighting. In determining whether an object is animal fighting paraphernalia, a court or other authority should consider statements by an owner or by anyone in control of the object concerning its use, any prior convictions under Federal or State law relating to animal fighting, the proximity of the object in time and space to the direct violation of this section, direct or circumstantial evidence of the intent of the accused to deliver the object to persons whom he or she knows or should reasonably know intends to use the object to facilitate a violation of this section, oral or written instructions provided with or in the vicinity of the object concerning its use, descriptive materials accompanying the object which explain or depict its use and all other logically relevant factors.

"Audibly impaired." The inability to hear air conduction thresholds at an average of 40 decibels or greater in the better ear.

"Blind." Having a visual acuity of 20/200 or less in the better eye with correction or having a limitation of the field of vision such that the widest diameter of the visual field subtends an angular distance not greater than 20 degrees.

"Conveyance." A truck, tractor, trailer or semitrailer, or any combination of these, propelled or drawn by mechanical

1 power.

2 "Deaf." Totally impaired hearing or hearing with or without
3 amplification which is so seriously impaired that the primary
4 means of receiving spoken language is through other sensory
5 input, including, but not limited to, lip reading, sign
6 language, finger spelling or reading.

7 "Domestic animal." Any dog, cat, equine animal, bovine
8 animal, sheep, goat or porcine animal.

9 "Domestic fowl." Any avis raised for food, hobby or sport.

10 "Equine animal." Any member of the Equidae family, which
11 includes horses, asses, mules, ponies and zebras.

12 "Normal agricultural operation." Normal activities,
13 practices and procedures that farmers adopt, use or engage in
14 year after year in the production and preparation for market of
15 poultry, livestock and their products in the production and
16 harvesting of agricultural, agronomic, horticultural,
17 silvicultural and aquicultural crops and commodities.

18 "Physically limited." Having limited ambulation, including,
19 but not limited to, a temporary or permanent impairment or
20 condition that causes an individual to use a wheelchair or walk
21 with difficulty or insecurity, affects sight or hearing to the
22 extent that an individual is insecure or exposed to danger,
23 causes faulty coordination or reduces mobility, flexibility,
24 coordination or perceptiveness.

25 "Social services employee." Any of the following providing
26 human services:

27 (1) An employee of the Commonwealth or a political
28 subdivision of the Commonwealth.

29 (2) An employee providing human services under contract
30 to the Commonwealth or a political subdivision of the

1 Commonwealth.

2 "Zoo animal." Any member of the class of mammalia, aves,
3 amphibia or reptilia which is kept in a confined area by a
4 public body or private individual for purposes of observation by
5 the general public.

6 Section 2. Section 6311(a) of Title 23 is amended by adding
7 a paragraph to read:

8 § 6311. Persons required to report suspected child abuse.

9 (a) Mandated reporters.--The following adults shall make a
10 report of suspected child abuse, subject to subsection (b), if
11 the person has reasonable cause to suspect that a child is a
12 victim of child abuse:

13 * * *

14 (17) An animal control officer or humane society police
15 officer.

16 * * *

17 Section 3. This act shall take effect in 60 days.