

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2403 Session of
1996

INTRODUCED BY PHILLIPS, STABACK, ALLEN, FAIRCHILD, DEMPSEY,
B. SMITH, READSHAW, SATHER, GIGLIOTTI, MARKOSEK, COLAIZZO,
GEIST, NAILOR, COY, MERRY, TRELLO, DeLUCA, SAYLOR, BAKER,
McGEEHAN, RUBLEY, WALKO, LYNCH, STISH, BROWN, ADOLPH,
HERSHEY, MICOZZIE, PETTIT, TRUE, YOUNGBLOOD, J. TAYLOR,
HENNESSEY, EGOLF, E. Z. TAYLOR, STERN, LUCYK AND HESS,
FEBRUARY 13, 1996

REFERRED TO COMMITTEE ON JUDICIARY, FEBRUARY 13, 1996

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, providing for police animals;
3 providing penalties; and making a repeal.

4 The General Assembly of the Commonwealth of Pennsylvania
5 hereby enacts as follows:

6 Section 1. Title 18 of the Pennsylvania Consolidated
7 Statutes is amended by adding a section to read:

8 § 5511.2. Police animals.

9 (a) Illegal to taunt police animals.--It shall be unlawful
10 for any person to willfully or maliciously taunt, torment,
11 tease, beat, kick or strike any police animal. Any person who
12 violates any of the provisions of this subsection commits a
13 felony of the third degree.

14 (b) Illegal to torture police animals.--It shall be unlawful
15 for any person to willfully or maliciously torture, mutilate,
16 injure, disable, poison or kill any police animal. Any person

1 who violates any of the provisions of this subsection commits a
2 felony of the third degree.

3 (c) Restitution.--In any case in which a defendant is
4 convicted of a violation of subsection (a) or (b), the defendant
5 shall be ordered to make restitution to the agency or individual
6 owning the animal for any veterinary bills, for replacement
7 costs of the animal if it is disabled or killed and for the
8 salary of the animal's handler for the period of time his or her
9 services are lost to the agency.

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

13 "Accelerant detection dog." Any dog which is trained for
14 accelerant detection, commonly referred to as arson canines.

15 "Bomb detection dog." Any dog which is trained to locate a
16 bomb or explosives by scent.

17 "Narcotic detection dog." Any dog which is trained to locate
18 narcotics by scent.

19 "Police animal." Any animal, including, but not limited to,
20 dogs and horses, used by the Pennsylvania State Police or by any
21 municipal police department, fire department, search and rescue
22 unit or agency or handler under the supervision of such
23 department, search and rescue unit or agency in the performance
24 of the functions or duties of such department, search and rescue
25 unit or agency, whether the animal is on duty or not on duty.
26 The term shall include, but not be limited to, accelerant
27 detection dogs, bomb detection dogs, narcotic detection dogs,
28 search and rescue dogs and tracking animals.

29 "Search and rescue dog." Any dog which is trained to locate
30 lost or missing persons, victims of natural or man-made

1 disasters and human bodies.

2 "Tracking animal." Any animal which is trained to track or
3 used to pursue a missing person, escaped inmate or fleeing
4 felon.

5 Section 2. Section 602(a) and (b) of the act of December 7,
6 1982 (P.L.784, No.225), known as the Dog Law, are repealed.

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