

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1107 Session of 2013

INTRODUCED BY ALLOWAY, FERLO, TEPLITZ, PILEGGI, VULAKOVICH, FARNESE, BLAKE, GREENLEAF, DINNIMAN, SOLOBAY AND SMITH, SEPTEMBER 25, 2013

AS AMENDED ON THIRD CONSIDERATION, APRIL 1, 2014

AN ACT

1 Amending the act of December 7, 1982 (P.L.784, No.225),
2 entitled, as amended, "An act relating to dogs, regulating
3 the keeping of dogs; providing for the licensing of dogs and
4 kennels; providing for the protection of dogs and the
5 detention and destruction of dogs in certain cases;
6 regulating the sale and transportation of dogs; declaring
7 dogs to be personal property and the subject of theft;
8 providing for the abandonment of animals; providing for the
9 assessment of damages done to animals; providing for payment
10 of damages by the Commonwealth in certain cases and the
11 liability of the owner or keeper of dogs for such damages;
12 imposing powers and duties on certain State and local
13 officers and employees; providing penalties; and creating a
14 Dog Law Restricted Account," further providing for
15 definitions and for revocation or refusal of kennel licenses.

16 The General Assembly of the Commonwealth of Pennsylvania
17 hereby enacts as follows:

18 Section 1. Section 102 of the act of December 7, 1982
19 (P.L.784, No.225), known as the Dog Law, is amended by adding a
20 definition to read:

21 Section 102. Definitions.

22 The following words and phrases when used in this act shall
23 have, unless the context clearly indicates otherwise, the
24 meanings given to them in this section:

1 \* \* \*

2 "Immediate family." Includes a spouse, child, parent,  
3 brother, sister, grandparent and grandchild and a spouse  
4 thereof, a domestic partner and any other individual related by  
5 blood or affinity whose close association with the licensee is  
6 the equivalent of a family relationship.

7 \* \* \*

8 Section 2. Section 211(a) introductory paragraph, amended  
9 October 9, 2008 (P.L.1450, No.119), is amended to read:

10 Section 211. Revocation or refusal of kennel licenses.

11 (a) General powers of secretary.--The secretary shall revoke  
12 a kennel license, dealer license or out-of-state dealer license  
13 if a licensee is convicted of a violation of 18 Pa.C.S. § 5511  
14 (relating to cruelty to animals) or of substantially similar  
15 conduct pursuant to a cruelty law of another state. The

16 secretary shall not issue a kennel license, dealer license or  
17 out-of-state dealer license to a person that has been convicted  
18 of a violation of 18 Pa.C.S. § 5511 within the last ten years

19 nor to a person who is a member of the immediate family of the  
20 convicted licensee who seeks to operate a kennel at the same <--

21 location as the convicted licensee. The secretary may revoke or  
22 refuse to CONVICTED PERSON WHO SEEKS TO OPERATE A KENNEL AT THE <--

23 SAME LOCATION AS THE CONVICTED PERSON UNLESS THE IMMEDIATE  
24 FAMILY MEMBER SHOWS BY CLEAR AND CONVINCING EVIDENCE THAT THE

25 CONVICTED PERSON WILL HAVE NO OWNERSHIP INTEREST IN THE KENNEL  
26 AND PLAY NO ROLE IN THE CARE OF THE DOGS OR MANAGEMENT OF THE

27 KENNEL. IF THE SECRETARY SUBSEQUENTLY DETERMINES THAT THE  
28 CONVICTED PERSON HAS OWNERSHIP INTEREST, CARES FOR THE DOGS OR

29 MANAGES THE KENNEL, THE LICENSE TO OPERATE THE KENNEL SHALL BE  
30 PERMANENTLY REVOKED. THE SECRETARY MAY REVOKE OR REFUSE TO issue

1 a kennel license, dealer license or out-of-state dealer license  
2 for any one or more of the following reasons:

3 \* \* \*

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