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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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SENATE BILL

No. 78 Session of  
2015

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INTRODUCED BY ALLOWAY, TEPLITZ, FARNESE, GREENLEAF, TARTAGLIONE,  
VULAKOVICH, WARD, RAFFERTY, WOZNIAK AND BOSCOLA,  
JANUARY 14, 2015

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REFERRED TO AGRICULTURE AND RURAL AFFAIRS, JANUARY 14, 2015

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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 person who seeks to operate a kennel at the same  
21 location as the convicted person unless the immediate family  
22 member shows by clear and convincing evidence that the convicted  
23 person will have no ownership interest in the kennel and play no  
24 role in the care of the dogs or management of the kennel. If the  
25 secretary subsequently determines that the convicted person has  
26 ownership interest, cares for the dogs or manages the kennel,  
27 the license to operate the kennel shall be permanently revoked.  
28 The secretary may revoke or refuse to issue a kennel license,  
29 dealer license or out-of-state dealer license for any one or  
30 more of the following reasons:

1           \* \* \*

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