

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 702 Session of 2023

INTRODUCED BY COMMITTEE ON AGRICULTURE, HAYWOOD, KANE, SANTARSIERO,
PENNYCUICK, CAPPELLETTI, COSTA, BREWSTER, MILLER AND SCHWANK,
MAY 15, 2023

REFERRED TO AGRICULTURE AND RURAL AFFAIRS, MAY 15, 2023

AN ACT

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

19 The General Assembly of the Commonwealth of Pennsylvania
20 hereby enacts as follows:

21 Section 1. Section 211(a) introductory paragraph of the act
22 of December 7, 1982 (P.L.784, No.225), known as the Dog Law, is
23 amended to read:

24 Section 211. Revocation or refusal of kennel licenses.

25 (a) General powers of secretary.--The secretary shall revoke

1 a kennel license, dealer license or out-of-state dealer license
2 if a licensee is convicted of a violation of 18 Pa.C.S. § 5511
3 (relating to cruelty to animals) or of substantially similar
4 conduct pursuant to 7 U.S.C. Ch. 54 (relating to transportation,
5 sale, and handling of certain animals), 18 U.S.C. § 48 (relating
6 to animal crushing) or a cruelty law of another state. The
7 secretary shall not issue a kennel license, dealer license or
8 out-of-state dealer license to a person that has been convicted
9 of a violation of 18 Pa.C.S. § 5511 within the last ten years.
10 The secretary may revoke or refuse to issue a kennel license,
11 dealer license or out-of-state dealer license for any one or
12 more of the following reasons:

13 * * *

14 Section 2. The act is amended by adding sections to read:
15 Section 222. Prohibition on sale of dogs bred by certain
16 persons.

17 Notwithstanding the provisions of section 908, a dealer or
18 kennel may not sell or offer for sale, including a sale for
19 research purposes, a dog bred by a person that has received any
20 of the following from the United States Department of
21 Agriculture as authorized under 7 U.S.C. Ch. 54 (relating to
22 transportation, sale, and handling of certain animals) and its
23 attendant regulations:

24 (1) A citation for a direct or critical violation or
25 citations for three or more indirect or noncritical
26 violations during the two-year period before the procurement
27 of the dog.

28 (2) Two consecutive citations for no access to a housing
29 facility before the procurement of the dog.

30 Section 909. Whistleblower protection.

1 An employee of a business, nonprofit entity or government
2 entity subject to this act shall be deemed to be an employee
3 under the act of December 12, 1986 (P.L.1559, No.169), known as
4 the Whistleblower Law, with regard to a good faith report of a
5 potential violation of this act or 7 U.S.C. Ch. 54 (relating to
6 transportation, sale, and handling of certain animals). A
7 business, nonprofit entity or government entity subject to this
8 act shall be deemed to be an employer under the Whistleblower
9 Law with regard to a good faith report of a potential violation
10 of this act or 7 U.S.C. Ch. 54.

11 Section 3. This act shall take effect in 180 days.