



HOUSE COMMITTEE ON APPROPRIATIONS
2009-10 Legislative Session

FISCAL NOTE

HOUSE BILL: 39

PRINTER'S NO: 31

PRIME SPONSOR: Caltagirone

FISCAL IMPACT SUMMARY	FY 2008/09	FY 2009/10
Expenditure Increase/(Decrease):		
General Fund	\$0	\$0

OVERVIEW:

House Bill 39 amends Section 5111 (Cruelty to Animals) of Title 18 (Crimes and Offenses) by providing for specific violations that constitute cruelty to animals. Under this legislation, a person commits a summary offense if he:

- debarks a dog by cutting, causing or procuring the cutting of its vocal cords by altering, causing or procuring the alteration of any part of its resonance chamber;
- docks, cuts off or procures the docking or cutting off of the tail of a dog over five days old;
- surgically births or causes or procures a surgical birth; or
- cuts off or causes or procures the cutting off of the dewclaw of a dog over five days old.

House Bill 39 allows exceptions for these procedures to be conducted by licensed veterinarians and people working in federally registered research facilities. Owners of dogs that undergo such procedures must keep a record of the surgery. If a dog is found with an "unhealed" wound related to one of the specified procedures in this bill, and the owner is unable to produce a veterinary record, the owner will be charged with a summary offense.

This legislation also amends 18 PA.C.S §5511(H.1) by including the act of stealing or acquiring in any manner an animal for animal fighting.

Finally, this bill grants authority to dog wardens to enforce certain provisions of the animal cruelty statute in counties lacking a court appointed humane society police officer (HSPO).

The amendment of 18PA.C.S §5511(H.1) takes effect in 60 days; the remainder of this act takes effect immediately.

ANALYSIS:

House Bill 39 introduces new statutes to the crimes code and it is not possible to determine the number of individuals who would be convicted of summary offenses if this bill is enacted. A summary offense carries a term of imprisonment of up to 90 days and a maximum fine of \$300.

According to the Bureau of Dog Law Enforcement in the Pennsylvania Department of Agriculture, the enactment of House Bill 39 will not result in an adverse fiscal impact on the Commonwealth. Dog wardens seeking to enforce the provisions under this legislation are currently able to obtain certification without additional costs to the Commonwealth.

PREPARED BY: Rayko Pacana, Budget Analyst
House Appropriations Committee, (D)

DATE: February 9, 2009

General Note and Disclaimer: *This Fiscal Note was prepared pursuant to House Rule 19(a), and the elements considered and reported above are required by Section 5 of the rule. Estimates are calculated using the best information available. Actual costs and revenue impact incurred may vary from estimates.*