

**SENATE APPROPRIATIONS COMMITTEE
FISCAL NOTE**

BILL NO. House Bill 164

PRINTER'S NO. 1941

AMOUNT

No Fiscal Impact

FUND

General Fund

DATE INTRODUCED

January 17, 2013

PRIME SPONSOR

Representative Stephens

DESCRIPTION AND PURPOSE OF BILL

House Bill 164 amends Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes further providing for the offense of cruelty to animals.

Specifically, this legislation does the following:

- Adds subsection (h.2) (relating to Possession of animal fighting paraphernalia);
- Defines "Animal fighting paraphernalia" as any device, implement, object, facility, space or drug used, or intended to be used, for animal fighting, to train an animal for animal fighting or in furtherance of animal fighting; and
- Provides that, in addition to any other penalty of law, a person commits a misdemeanor of the third degree, if they knowingly own or possess animal fighting paraphernalia. A misdemeanor of the third degree subjects the offender to up to one year in jail and a fine of up to \$2,500.

Current law provides for the offense of animal fighting, which is a Felony of the third degree, but there is no specific crime related to the possession of animal fighting implements or facilities used for animal fighting or training.

This act shall take effect in 60 days.

FISCAL IMPACT:

According to the Pennsylvania Commission on Sentencing (Commission), in 2012, a total of 67 sentences in the Commonwealth were reported to the Commission for the offense of cruelty to animals, of which only 11 involved the animal fighting subsection (h.1) (related to Animal Fighting). Of the 11 sentences mentioned above, only 1 was sentenced to incarceration in a county jail and the remaining 10 sentences were county probation.

Any conviction under this new subsection would subject the convict to a fine and possible incarceration in a county jail, where the average daily cost of housing an inmate is \$70.

While enactment of this legislation may have an indeterminate fiscal impact on local funds, there's no fiscal impact expected on any Commonwealth funds.