

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, in offenses against public order and
3 decency, further providing for the offense of cruelty to
4 animals.

5 The General Assembly of the Commonwealth of Pennsylvania
6 hereby enacts as follows:

7 Section 1. Section 5511(c)(1) of Title 18 of the
8 Pennsylvania Consolidated Statutes is amended and the section is
9 amended by adding a subsection to read:

10 § 5511. Cruelty to animals.

11 * * *

12 (c) Cruelty to animals.--

13 (1) A person commits an offense if he wantonly or
14 cruelly illtreats, overloads, beats, otherwise abuses any
15 animal, or neglects any animal as to which he has a duty of
16 care, whether belonging to himself or otherwise, or abandons
17 any animal, or deprives any animal of necessary sustenance,
18 potable drink, shelter or veterinary care, or access to clean

1 and sanitary shelter which will protect the animal against
2 inclement weather and preserve the animal's body heat and
3 keep it dry.

4 * * *

5 (c.1) Tethering of dogs.--

6 (1) Except as otherwise provided under paragraph (2), a
7 person commits a summary offense if the person tethers a dog
8 outside and unattended to any stationary object by use of a
9 restraint between the hours of 10 p.m. and 6 a.m. or fails to
10 satisfy the following:

11 (i) The tether must be placed or attached so that
12 the dog cannot become entangled with other objects and to
13 allow the dog to roam the full range of the tether. The
14 tether must be of a type commonly used for the size of
15 dog involved. No tow chain may be used.

16 (ii) The tether must be attached to the dog by means
17 of a well-fitted collar or body harness that will not
18 cause trauma or injury to the dog. No choke, pinch, prong
19 or other chain collar may be used.

20 (iii) The tether must be a minimum of six feet long
21 or at least five times the length of the dog as measured
22 from the tip of its nose to the base of its tail,
23 whichever is longer, and must allow the dog convenient
24 and unfettered access to shelter and food and water
25 containers. The tether may not become wrapped around any
26 appendage such that it restricts the dog's movement.

27 (iv) While tethered, the dog must be provided with
28 protection from the direct rays of the sun and at least
29 one area of shade other than the shelter must be
30 provided.

1 (v) A tethered dog must be free of open sores or
2 wounds on its body.

3 (vi) A dog may not be tethered outside during
4 periods of temperature below 32 degrees Fahrenheit or
5 above 90 degrees Fahrenheit or when a weather advisory or
6 warning has been issued by the National Weather Service.

7 (2) The following activity shall not result in an
8 offense under paragraph (1):

9 (i) Tethering a dog for a period not to exceed 15
10 minutes, as long as the dog is not in danger or a
11 nuisance or does not put the public in danger.

12 (ii) Tethering a dog while actively engaged in or
13 actively training for an activity that is conducted
14 pursuant to a valid license issued by the Commonwealth,
15 if the activity for which the license is issued is
16 associated with the use or presence of a dog.

17 (iii) Tethering a dog that is used in the course of
18 commercial agricultural production or for the protection
19 of commercial farm property, agricultural supplies or
20 products.

21 (iv) Tethering a dog while actively participating in
22 or attending an organized dog show, field trial, agility
23 event, herding contest or other similar exposition or
24 event, of a limited duration, that involves the judging
25 or evaluation of dogs.

26 (v) Tethering a dog being raised, trained or
27 utilized for sled racing, as long as the dog is regularly
28 untethered for exercise and training.

29 (vi) Tethering a dog pursuant to the requirements of
30 a camping or recreational area.

1 (3) A person who commits an offense under this
2 subsection may, upon conviction, and in addition to any other
3 penalty authorized by law, be subject to forfeiture of the
4 dog.

5 * * *

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