

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 importation or sale of dogs; and, in enforcement and
17 penalties, providing for whistleblower protection.

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

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

23 Section 211. Revocation or refusal of kennel licenses.

24 (a) General powers of secretary.--The secretary shall revoke
25 a kennel license, dealer license or out-of-state dealer license

1 if a licensee is convicted of a violation of 18 Pa.C.S. § 5511
2 (relating to cruelty to animals) or of substantially similar
3 conduct pursuant to the Animal Welfare Act (Public Law 89-544, 7
4 U.S.C. § 2131 et seq.), 18 U.S.C. § 48 (relating to animal
5 crushing) or a cruelty law of another state. The secretary shall
6 not issue a kennel license, dealer license or out-of-state
7 dealer license to a person that has been convicted of a
8 violation of 18 Pa.C.S. § 5511 within the last ten years. The
9 secretary may revoke or refuse to issue a kennel license, dealer
10 license or out-of-state dealer license for any one or more of
11 the following reasons:

12 * * *

13 Section 2. The act is amended by adding sections to read:

14 Section 222. Importation or sale of dogs.

15 Notwithstanding the provisions of section 908, a dealer or
16 kennel may not import for sale, sell or offer for sale,
17 including a sale for research purposes, a dog bred by a person
18 who has received any of the following from the United States
19 Department of Agriculture as authorized under the Animal Welfare
20 Act (Public Law 89-544, 7 U.S.C. § 2131 et seq.) and its
21 attendant regulations:

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

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

28 Section 909. Whistleblower protection.

29 An employee of a business, nonprofit entity or government
30 entity subject to this act shall be deemed to be an employee

1 under the act of December 12, 1986 (P.L.1559, No.169), known as
2 the Whistleblower Law, with regard to a good faith report of a
3 potential violation of this act or the Animal Welfare Act
4 (Public Law 89-544, 7 U.S.C. § 2131 et seq.). A business,
5 nonprofit entity or government entity subject to this act shall
6 be deemed to be an employer under the Whistleblower Law with
7 regard to a good faith report of a potential violation of this
8 act or the Animal Welfare Act.

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