

CRIMES CODE (18 PA.C.S.), HEALTH AND SAFETY (35 PA.C.S.),  
JUDICIAL CODE (42 PA.C.S.) AND MUNICIPALITIES (53 PA.C.S.) -  
OMNIBUS AMENDMENTS

Act of Jul. 11, 2022, P.L. 719, No. 60  
Session of 2022  
No. 2022-60

Cl. 18

HB 940

AN ACT

Amending Titles 18 (Crimes and Offenses), 35 (Health and Safety), 42 (Judiciary and Judicial Procedure) and 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, in burglary and other criminal intrusion, further providing for definitions, for the offense of burglary and for the offense of criminal trespass; in cruelty to animals, further providing for police animals; in emergency medical services system, providing for injured police animals; in immunities generally, further providing for emergency response provider and bystander good Samaritan civil immunity; and, in employees, providing for canine training standards for police officers.

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

Section 1. Section 3501 of Title 18 of the Pennsylvania Consolidated Statutes is amended by adding a definition to read:  
§ 3501. Definitions.

Subject to additional definitions contained in subsequent provisions of this chapter which are applicable to specific provisions of this chapter, the following words or phrases when used in this chapter shall have, unless the context clearly indicates otherwise, the meanings given to them in this section:

**"Domestic animal." As defined in section 5531 (relating to definitions).**

\* \* \*

Section 2. Sections 3502 and 3503 of Title 18 are amended by adding subsections to read:

§ 3502. Burglary.

\* \* \*

**(d.1) Sentencing enhancement.--The Pennsylvania Commission on Sentencing, in accordance with 42 Pa.C.S. § 2154 (relating to adoption of guidelines for sentencing), shall provide for a sentencing enhancement for courts to consider in cases involving burglary where a domestic animal is harmed or killed in the course of the burglary.**

\* \* \*

§ 3503. Criminal trespass.

\* \* \*

**(c.2) Sentencing enhancement.--The Pennsylvania Commission on Sentencing, in accordance with 42 Pa.C.S. § 2154 (relating to adoption of guidelines for sentencing), shall provide for a sentencing enhancement for courts to consider in cases involving criminal trespass where a domestic animal is harmed or killed in the course of the criminal trespass.**

\* \* \*

Section 3. Section 5548 of Title 18 is amended to read:  
§ 5548. Police animals.

(a) Illegal to taunt police animals.--It shall be unlawful for a person to intentionally or knowingly taunt, torment, tease, beat, kick or strike a police animal. A person who violates the provisions of this subsection commits a felony of the third degree.

(b) Illegal to torture or kill police animals.--It shall be unlawful for a person to [intentionally]:

(1) **Intentionally** or knowingly torture, mutilate, injure, disable, poison or kill a police animal. A person who violates the provisions of this [subsection] **paragraph** commits a felony of the second degree.

(2) **Recklessly torture, mutilate, injure, disable, poison or kill a police animal.** A person who violates the provisions of this **paragraph** commits a misdemeanor of the first degree.

(b.1) **Illegal to torture or kill police animals during perpetration of felony.**--It shall be unlawful for a person to torture, mutilate, injure, disable, poison or kill a police animal while engaged as a principal or an accomplice in the perpetration of a felony. A person who violates the provisions of this subsection commits a felony of the third degree.

(c) Restitution.--In a case in which a defendant is convicted of a violation of subsection (a) [or (b)], **(b) or (b.1)**, the defendant shall be ordered to make restitution to the agency or individual owning the animal for veterinary bills, for replacement costs of the animal if it is disabled or killed and for the salary of the animal's handler for the period of time the handler's services are lost to the agency.

Section 4. Title 35 is amended by adding a section to read: § 8158. **Injured police animals.**

(a) **Transportation.**--An emergency response provider may transport a police animal injured in the line of duty to a veterinary clinic, hospital emergency department or similar facility if there is no individual requiring immediate medical attention or transport at that time.

(b) **Emergency medical care.**--An emergency response provider may provide emergency medical care to a police animal injured in the line of duty while at the scene of the emergency or while the police animal is being transported to a veterinary clinic, hospital emergency department or similar facility.

(c) **Definitions.**--As used in this section, the following words and phrases shall have the meanings given to them in this subsection unless the context clearly indicates otherwise:

"Police animal." As defined in 18 Pa.C.S. § 5531 (relating to definitions).

Section 5. Section 8332(d) of Title 42 is amended and the section is amended by adding subsections to read:

§ 8332. Emergency response provider and bystander good Samaritan civil immunity.

\* \* \*

(b.1) **Injured police animals.**--A person, including an emergency response provider, whether trained to practice medicine, who, in good faith, renders emergency care, treatment, first aid or rescue to an injured police animal at the scene of an emergency event or crime or who moves an injured police animal receiving emergency care, treatment, first aid or rescue to a hospital or other place of medical care shall not be liable for any civil damages as a result of rendering aid, except in an act or omission intentionally designed to harm or any grossly negligent acts or omissions which result in harm to the police animal receiving emergency care, treatment, first aid or rescue

or while being moved to a hospital or other place of medical care.

\* \* \*

[(d) Definition.--For the purposes of this section, the term "emergency response provider" includes Federal, State and local emergency public safety, law enforcement, emergency response, emergency medical services personnel, response teams, agencies and authorities, excluding hospital emergency facilities and related personnel.]

(e) Definitions.--As used in this section, the following words and phrases shall have the meanings given to them in this subsection unless the context clearly indicates otherwise:

"Emergency response provider." The term includes Federal, State and local emergency public safety, law enforcement, emergency response, emergency medical services personnel, response teams, agencies and authorities. The term does not include hospital emergency facilities and related personnel.

"Police animals." As defined in 18 Pa.C.S. § 5531 (relating to definitions).

Section 6. Title 53 is amended by adding a section to read: § 2172. Canine training standards for police officers.

(a) Establishment.--The commission, in collaboration with the Pennsylvania State Police and municipal police department canine units or officers, shall establish police officer canine training and certification standards, including all of the following:

(1) Standards for initial certifications.

(2) Standards for maintenance certifications.

(3) Record-keeping policies and procedures for police department canine units or officers.

(b) Updates.--The commission shall review and update the standards under subsection (a) as the commission deems necessary and at least every two years.

(c) Notice.--The commission shall transmit notice of the standards established and updated under this section to the Legislative Reference Bureau for publication in the Pennsylvania Bulletin.

Section 7. This act shall take effect in 60 days.

APPROVED--The 11th day of July, A.D. 2022.

TOM WOLF