

CRIMES CODE (18 PA.C.S.) - AMEND CRUELTY TO ANIMALS

Act of Oct. 18, 2000, P.L. 605, No. 80

Cl. 18

Session of 2000

No. 2000-80

SB 1109

AN ACT

Amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for cruelty to animals and for discrimination on account of guide, signal or service dog or other aid animal.

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

Section 1. Sections 5511(a)(2.1) and 7325 of Title 18 of the Pennsylvania Consolidated Statutes are amended to read:

§ 5511. Cruelty to animals.

(a) Killing, maiming or poisoning domestic animals or zoo animals, etc.--

* * *

(2.1) (i) A person commits a misdemeanor of the [second] **first** degree if he willfully and maliciously:

(A) Kills, maims, mutilates, tortures or disfigures any dog or cat, whether belonging to himself or otherwise.

(B) Administers poison to or exposes any poisonous substance with the intent to administer such poison to any dog or cat, whether belonging to himself or otherwise.

(ii) Any person convicted of violating the provisions of this paragraph shall be sentenced to pay a fine of not less than \$1,000 or to imprisonment for not more than two years, or both. **The court may also order a presentence mental evaluation.** A subsequent conviction under this paragraph shall be a felony of the third degree. This paragraph shall apply to dogs and cats only.

(iii) The killing of a dog or cat by the owner of that animal is not malicious if it is accomplished in accordance with the act of December 22, 1983 (P.L.303, No.83), referred to as the Animal Destruction Method Authorization Law.

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§ 7325. Discrimination on account of guide [dog], **signal or service dog or other aid animal** .

A person is guilty of a summary offense if he, being the proprietor, manager or employee of a theatre, hotel, restaurant or other place of public accommodation, entertainment or amusement, refuses, withholds or denies any person, who is using a guide, signal or service dog[,], **or other aid animal that has been certified by a recognized authority to assist a person,**

because of the physical disability, blindness or deafness of the user, **or who is training a guide, signal or support dog or other aid animal for or from a recognized authority for such a user,** the use of or access to any accommodation, advantage, facility or privilege of such theatre, hotel, restaurant or other place of public entertainment or amusement.

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

APPROVED--The 18th day of October, A. D. 2000.

THOMAS J. RIDGE