

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL
No. 1650 Session of
1993

INTRODUCED BY PHILLIPS, ACOSTA, BUNT, TRUE, ROONEY, B. SMITH,
STABACK, SCHEETZ, TRELLO, GODSHALL, TIGUE, GEIST, HESS,
SAURMAN, BARLEY, LYNCH, CIVERA, HERSHEY, SEMMEL, HENNESSEY
AND STAIRS, MAY 24, 1993

REFERRED TO COMMITTEE ON JUDICIARY, MAY 24, 1993

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, further providing for cruelty to
3 animals.

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

6 Section 1. Subsection (j) and the definition of "animal
7 fighting" in subsection (q) of section 5511 of Title 18 of the
8 Pennsylvania Consolidated Statutes are amended to read:

9 § 5511. Cruelty to animals.

10 * * *

11 (j) Seizure of animals kept or used for animal fighting.--

12 Any police officer or agent of a society or association for the
13 prevention of cruelty to animals incorporated under the laws of
14 this Commonwealth[, shall have power to seize] may petition a
15 court of competent jurisdiction for the destruction of any
16 animal kept, used, or intended to be used for animal fighting.

17 [When the seizure is made, the animal or animals so seized shall

1 not be deemed absolutely forfeited, but shall be held by the
2 officer or agent seizing the same until a conviction of some
3 person is first obtained for a violation of subsection (h.1).
4 The officer or agent making such seizure shall make due return
5 to the justice of the peace before whom the complaint is heard,
6 of the number and kind of animals or creatures so seized by him,
7 and it shall be the duty of the justice of the peace hearing the
8 complaint, in case of a conviction, to make the forfeiture of
9 such animals or creatures seized a part of the sentence. Where
10 an animal is thus seized, the police officer or agent is
11 authorized to provide such care as is reasonably necessary, and
12 where any] If, after notice to the owner of the animal and a
13 hearing, the animal [thus seized] is found, by convincing
14 evidence, to be disabled, injured or diseased beyond reasonable
15 hope of recovery, the [police officer or agent is authorized to
16 provide for] court shall order the humane destruction of the
17 animal. The cost of the [keeping, care and] destruction of the
18 animal shall be paid by the owner thereof. [In addition to any
19 other penalty provided by law, the authority imposing sentence
20 upon a conviction for any violation of subsection (h.1) shall
21 require that the owner pay the cost of the keeping, care and
22 destruction of the animal.]

23 * * *

24 (q) Definitions.--As used in this section the following
25 words and phrases shall have the meanings given to them in this
26 subsection:

27 "Animal fighting." Fighting or baiting any bull, bear, dog[,
28 cock] or other creature.

29 * * *

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