

THE GENERAL ASSEMBLY OF PENNSYLVANIA

# HOUSE BILL

No. 76

Session of  
1997

INTRODUCED BY PHILLIPS, VEON, SATHER, BAKER, NICKOL, OLASZ,  
BELARDI, NAILOR, FEESE, TIGUE, JAMES, M. COHEN, LYNCH,  
READSHAW, M. N. WRIGHT, TRUE, ZUG, FLEAGLE, MICOZZIE,  
FAIRCHILD, ALLEN, GRUPPO, GEIST, EGOLF, SCHULER,  
E. Z. TAYLOR, HESS, HENNESSEY, STERN, B. SMITH, McCALL,  
STABACK, BARD, HERSHEY, MILLER, TRELLO, ITKIN, CASORIO,  
MICHLOVIC, ROBERTS, FICHTER, KAISER, BOSCOLA, SAINATO,  
J. TAYLOR, WOJNAROSKI, CIVERA, SEYFERT, L. I. COHEN AND  
CAPPABIANCA, JANUARY 28, 1997

REFERRED TO COMMITTEE ON JUDICIARY, JANUARY 28, 1997

## AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania  
2 Consolidated Statutes, providing for police animals; and  
3 providing penalties.

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

6 Section 1. Title 18 of the Pennsylvania Consolidated  
7 Statutes is amended by adding a section to read:

8 § 5511.2. Police animals.

9 (a) Illegal to taunt police animals.--It shall be unlawful  
10 for any person to willfully or maliciously taunt, torment,  
11 tease, beat, kick or strike any police animal. Any person who  
12 violates any of the provisions of this subsection commits a  
13 felony of the third degree.

14 (b) Illegal to torture police animals.--It shall be unlawful  
15 for any person to willfully or maliciously torture, mutilate,

injure, disable, poison or kill any police animal. Any person who violates any of the provisions of this subsection commits a felony of the third degree.

(c) Restitution.--In any case in which a defendant is convicted of a violation of subsection (a) or (b), the defendant shall be ordered to make restitution to the agency or individual owning the animal for any 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 his or her services are lost to the agency.

(d) Definitions.--As used in this section, the following words and phrases shall have the meanings given to them in this subsection:

"Accelerant detection dog." Any dog which is trained for accelerant detection, commonly referred to as arson canines.

"Bomb detection dog." Any dog which is trained to locate a bomb or explosives by scent.

"Narcotic detection dog." Any dog which is trained to locate narcotics by scent.

"Police animal." Any animal, including, but not limited to, dogs and horses, used by the Pennsylvania State Police or by any municipal police department, fire department, search and rescue unit or agency or handler under the supervision of such department, search and rescue unit or agency in the performance of the functions or duties of such department, search and rescue unit or agency, whether the animal is on duty or not on duty. The term shall include, but not be limited to, accelerant detection dogs, bomb detection dogs, narcotic detection dogs, search and rescue dogs and tracking animals.

"Search and rescue dog." Any dog which is trained to locate

1 lost or missing persons, victims of natural or manmade disasters  
2 and human bodies.

3 "Tracking animal." Any animal which is trained to track or  
4 used to pursue a missing person, escaped inmate or fleeing  
5 felon.

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