

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1029 Session of
1997

INTRODUCED BY LYNCH, ALLEN, SERAFINI, NAILOR, NICKOL,
YOUNGBLOOD, SCRIMENTI, WALKO, BOSCOLA, CARONE, SHANER,
CIVERA, SATHER, SEYFERT, TRELLO, STEELMAN AND COLAFELLA,
MARCH 25, 1997

REFERRED TO COMMITTEE ON JUDICIARY, MARCH 25, 1997

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. Section 5511(e) of Title 18 of the Pennsylvania
7 Consolidated Statutes is amended to read:

8 § 5511. Cruelty to animals.

9 * * *

10 (e) Transporting animals in cruel manner.--[A]

11 (1) Except as provided in paragraph (2), a person
12 commits a summary offense if he carries, or causes, or allows
13 to be carried in or upon any cart, or other vehicle
14 whatsoever, any animal in a cruel or inhumane manner.

15 (2) A person may not, in a cruel or inhumane manner,
16 transport for slaughter an equine animal. Grading is as
17 follows:

1 (i) Except as set forth in subparagraph (ii), a
2 person that violates this paragraph commits a misdemeanor
3 of the third degree.

4 (ii) A person that violates this paragraph after
5 being sentenced under subparagraph (i) commits a
6 misdemeanor of the second degree.

7 (3) The person taking [him] the violator into custody
8 may take charge of the animal and of any such vehicle and its
9 contents, and deposit the same in some safe place of custody,
10 and any necessary expenses which may be incurred for taking
11 charge of and keeping the same, and sustaining any such
12 animal, shall be a lien thereon, to be paid before the same
13 can lawfully be recovered, or the said expenses or any part
14 thereof remaining unpaid may be recovered by the person
15 incurring the same from the owner of said creature in any
16 action therefor.

17 (4) For the purposes of this [section] subsection, it
18 shall not be deemed cruel or inhumane to transport live
19 poultry in crates so long as not more than 15 pounds of live
20 poultry are allocated to each cubic foot of space in the
21 crate.

22 (5) As used in this subsection, an equine animal is, in
23 a cruel or inhumane manner, transported for slaughter if it
24 is:

25 (i) unable to bear weight on all four limbs or walk
26 unassisted;

27 (ii) blind in both eyes;

28 (iii) suffering from a broken or dislocated limb;

29 (iv) a mare, gelding or foal commingled with a
30 stallion during transport;

1 (v) not given at least two hours of rest and access
2 to adequate potable water after every 12 hours of
3 transport; or

4 (vi) transported in vehicle or trailer which does
5 not allow it sufficient clearance in a standing position
6 with its head in a normal upright position without
7 contact with the roof or an overhead structure.

8 * * *

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