

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2532 Session of
2008

INTRODUCED BY CALTAGIRONE, SHIMKUS, SANTONI, ADOLPH, BELFANTI, BENNINGTON, BEYER, BRENNAN, BUXTON, CAPPELLI, CARROLL, CASORIO, CIVERA, CRUZ, DALEY, J. EVANS, FABRIZIO, FRANKEL, GALLOWAY, GIBBONS, GOODMAN, GRUCELA, HARPER, JAMES, W. KELLER, KILLION, KOTIK, KULA, LENTZ, MAHER, MANDERINO, MARSHALL, MELIO, MOYER, MUSTIO, D. O'BRIEN, M. O'BRIEN, O'NEILL, PAYNE, PAYTON, PRESTON, RAYMOND, READSHAW, ROCK, RUBLEY, SCAVELLO, SIPTROTH, K. SMITH, M. SMITH, SOLOBAY, STURLA, SWANGER, J. TAYLOR, TRUE, WALKO, WATSON, J. WHITE, MICOZZIE, MAHONEY, YOUNGBLOOD AND COHEN, MAY 14, 2008

REFERRED TO COMMITTEE ON JUDICIARY, MAY 14, 2008

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(h) of Title 18 of the Pennsylvania
7 Consolidated Statutes is amended and the section is amended by
8 adding a subsection to read:

9 § 5511. Cruelty to animals.

10 * * *

11 (h) Cropping ears of dog; tail docking; debarking; surgical
12 birth; prima facie evidence of violation.--

13 (1) (i) A person commits a summary offense if he crops
14 or cuts off, or causes or procures to be cropped or cut

1 off, the whole[,] or part of the ear or ears of a dog or
2 shows or exhibits or procures the showing or exhibition
3 of any dog whose ear is or ears are cropped or cut off,
4 in whole or in part, unless the person showing [such] the
5 dog has in his possession either a certificate of
6 veterinarian stating that [such] the cropping was done by
7 the veterinarian or a certificate of registration from a
8 county treasurer[,] showing that [such] the dog was cut
9 or cropped before this section became effective.

10 (ii) The provisions of this section shall not
11 prevent a veterinarian from cutting or cropping the whole
12 or part of the ear or ears of a dog when [such] the dog
13 is anesthetized[,] and shall not prevent any person from
14 causing or procuring [such] the cutting or cropping of a
15 dog's ear or ears by a veterinarian.

16 (iii) The possession by any person of a dog with an
17 ear or ears cut off or cropped and with the wound
18 resulting therefrom unhealed, or any [such] dog being
19 found in the charge or custody of any person or confined
20 upon the premises owned by or under the control of any
21 person, shall be prima facie evidence of a violation of
22 this subsection by [such] the person except as provided
23 for in this subsection.

24 (iv) The owner of any dog whose ear or ears have
25 been cut off or cropped before this section became
26 effective may, if a resident of this Commonwealth,
27 register [such] the dog with the treasurer of the county
28 where he resides, and if a nonresident of this
29 Commonwealth[,] with the treasurer of any county of this
30 Commonwealth, by certifying, under oath, that the ear or

1 ears of [such] the dog were cut or cropped before this
2 section became effective, and the payment of a fee of \$1
3 into the county treasury. The said treasurer shall
4 thereupon issue to [such] the person a certificate
5 showing [such] the dog to be a lawfully cropped dog.

6 (2) (i) A person commits a summary offense if the
7 person debarks a dog by cutting, causing or procuring the
8 cutting of its vocal cords or by altering, causing or
9 procuring the alteration of any part of its resonance
10 chamber.

11 (ii) The provisions of this paragraph shall not
12 prevent a veterinarian from cutting the vocal cords or
13 otherwise altering the resonance chamber of a dog when
14 the dog is anesthetized and shall not prevent a person
15 from causing or procuring a procedure by a veterinarian.

16 (iii) The possession by a person of a dog with the
17 vocal cords cut or the resonance chamber otherwise
18 altered and with the wound resulting therefrom unhealed
19 shall be prima facie evidence of a violation of this
20 paragraph by the person, except as provided in this
21 subsection.

22 (iv) The owner of any dog who procured the
23 alteration of the resonance chamber of the dog shall
24 record and keep the record of the procedure.

25 (3) (i) A person commits a summary offense if the
26 person docks, cuts off, causes or procures the docking or
27 cutting off of the tail of a dog over three days old.

28 (ii) The provisions of this paragraph shall not
29 prevent a veterinarian from cutting or cropping the whole
30 or part of the tail of a dog when the dog is anesthetized

1 and shall not prevent a person from causing or procuring
2 the cutting or docking of a tail of a dog by a
3 veterinarian.

4 (iii) The possession by a person of a dog with a
5 tail cut off or docked and with the wound resulting
6 therefrom unhealed shall be prima facie evidence of a
7 violation of this paragraph by the person, except as
8 provided in this paragraph.

9 (iv) The owner of any dog who procured the cutting
10 off or docking of a tail of the owner's dog shall record
11 the procedure and keep the record.

12 (4) (i) A person commits a summary offense if the
13 person surgically births or causes or procures a surgical
14 birth.

15 (ii) The provisions of this section shall not
16 prevent a veterinarian from surgically birthing a dog
17 when the dog is anesthetized and shall not prevent any
18 person from causing or procuring the birthing by a
19 veterinarian.

20 (iii) The possession by a person of a dog nursing
21 puppies and with the wound resulting from a surgical
22 birth unhealed shall be prima facie evidence of a
23 violation of this paragraph by the person, except as
24 provided in this paragraph.

25 * * *

26 (o.2) Enforcement.--Entities and people who enforce the
27 provisions of the Dog Law shall have concurrent authority to
28 enforce this section as it relates to dogs in the course and
29 scope of their duties in a jurisdiction in which there is no
30 officer appointed under 22 Pa.C.S. Ch. 37 (relating to humane

1 society police officers).

2 * * *

3 Section 2. This act shall take effect immediately.