

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2547 Session of
2008

INTRODUCED BY SIPTROTH, BENNINGTON, BOBACK, BRENNAN, BUXTON,
CASORIO, CAUSER, CRUZ, FRANKEL, GEORGE, GIBBONS, GOODMAN,
HARHAI, JAMES, KOTIK, MAHONEY, MELIO, NAILOR, M. O'BRIEN,
O'NEILL, READSHAW, RUBLEY, SANTONI, SCAVELLO, VULAKOVICH,
J. WHITE AND YOUNGBLOOD, MAY 20, 2008

REFERRED TO COMMITTEE ON JUDICIARY, MAY 20, 2008

AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the
2 Pennsylvania Consolidated Statutes, in particular rights and
3 immunities, providing for immunity of humane society police
4 officers.

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

7 Section 1. Title 42 of the Pennsylvania Consolidated
8 Statutes is amended by adding a section to read:

9 § 8332.9. Immunity of humane society police officers.

10 (a) Status as public employees.--

11 (1) Humane society police officers shall be treated as
12 public employees as defined under section 8501 (relating to
13 definitions) in performance of their duties of investigation
14 and enforcement of 18 Pa.C.S. § 5511(i) (relating to cruelty
15 to animals) as delegated by the laws of this Commonwealth.

16 (2) This action shall not be construed to reduce or
17 eliminate any other immunity provided to humane society

1 police officers by law.

2 (b) Immunity established.--A humane society police officer
3 performing an investigation or enforcement of 18 Pa.C.S. § 5511
4 as delegated by the laws of this Commonwealth shall be immune
5 from any civil action for damages brought by or on behalf of any
6 person involved in the investigation or enforcement of 18
7 Pa.C.S. § 5511.

8 (c) Construction.--Nothing in this section shall be
9 construed to limit or otherwise affect or preclude liability
10 resulting from gross negligence or intentional misconduct or
11 reckless misconduct.

12 (d) Definitions.--The words and phrases in this section
13 shall have the same meanings given to them in the act of
14 December 7, 1982 (P.L.784, No.225), known as the Dog Law.

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