

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1750 Session of 2013

INTRODUCED BY MAHER, BARRAR, BOBACK, BROWNLEE, CALTAGIRONE, DAVIDSON, ENGLISH, GINGRICH, HAGGERTY, KAUFFMAN, W. KELLER, KORTZ, KOTIK, LONGIETTI, MAJOR, MURT, MUSTIO, O'NEILL, PARKER, READSHAW, ROCK, ROZZI, SABATINA, SAMUELSON, SCAVELLO, SCHLOSSBERG, SCHREIBER, STEPHENS, SWANGER, TOBASH, WATSON, YOUNGBLOOD, FLECK, COHEN, PETRI, C. HARRIS, DeLUCA, PAINTER, VEREB, GILLEN, WHITE, KIRKLAND, SONNEY, D. COSTA, QUINN, PAYNE, MICOZZIE, MATZIE AND FLYNN, OCTOBER 15, 2013

SENATOR GREENLEAF, JUDICIARY, IN SENATE, AS AMENDED,
JUNE 26, 2014

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, in riot, disorderly conduct and
3 related offenses, further providing for the offense of
4 cruelty to animals.

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

7 ~~Section 1. Section 5511 of Title 18 of the Pennsylvania~~ <--
8 ~~Consolidated Statutes is amended by adding a subsection to read:~~

9 SECTION 1. SECTION 5511(Q) OF TITLE 18 OF THE PENNSYLVANIA <--

10 CONSOLIDATED STATUTES IS AMENDED BY ADDING DEFINITIONS AND THE
11 SECTION IS AMENDED BY ADDING SUBSECTIONS TO READ:

12 § 5511. Cruelty to animals.

13 * * *

14 (c.1) Prohibition of activities related to dogs and cats.--

15 (1) A person commits an offense if the person does any

1 of the following:

2 (i) Kills a dog or cat, regardless of ownership of
3 the animal, for the purpose of human consumption.

4 (ii) Processes dog or cat meat for the purpose of
5 human consumption.

6 (iii) Breeds, keeps, sells, offers for sale or
7 transfers a dog or cat for the purpose of human
8 consumption.

9 (iv) Offers dog or cat meat for human consumption.

10 (2) Except as set forth in paragraph (3), a person who
11 violates this subsection commits a misdemeanor of the first
12 degree and shall, upon conviction, be sentenced to pay a fine
13 of not less than \$1,000 nor more than \$10,000 or to
14 imprisonment for not more than five years, or both.

15 (3) A person who violates this subsection and who has
16 committed a prior offense commits a felony of the third
17 degree and shall, upon conviction, be sentenced to pay a fine
18 of not less than \$2,500 nor more than \$15,000 or to
19 imprisonment for not more than seven years, or both. As used
20 in this paragraph, the term "prior offense" shall mean a
21 conviction, adjudication of delinquency, acceptance of
22 Accelerated Rehabilitative Disposition or other form of
23 preliminary disposition, occurring before the sentencing on
24 the present violation, for any of the following:

25 (i) an offense under this subsection; or

26 (ii) an offense substantially similar to an offense
27 under this subsection, including an offense under a prior
28 law of this Commonwealth or an offense under a law of
29 another jurisdiction.

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(C.2) USE OF DOGS, CATS OR OTHER LIVE ANIMALS OR FOWL FOR TARGETS AT TRAP SHOOT OR BLOCK SHOOT PROHIBITED.--

(1) A PERSON COMMITS A SUMMARY OFFENSE IF THAT PERSON OPERATES A TRAP SHOOT OR BLOCK SHOOT IN WHICH DOGS, CATS OR OTHER LIVE ANIMALS OR FOWL ARE USED AS TARGETS.

(2) NOTHING IN THIS SUBSECTION SHALL BE CONSTRUED TO APPLY TO ACTIVITY WHICH IS AUTHORIZED OR PERMITTED UNDER 34 PA.C.S. (RELATING TO GAME) OR A SPECIAL PERMIT UNDER 58 PA. CODE CH. 147 (RELATING TO SPECIAL PERMITS).

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(Q) DEFINITIONS.--AS USED IN THIS SECTION, THE FOLLOWING WORDS AND PHRASES SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SUBSECTION:

* * *

"BLOCK SHOOT." AN EVENT DURING WHICH PARTICIPANTS SHOOT OR ATTEMPT TO SHOOT TARGETS WHICH:

(1) FROM A FIXED LOCATION WITHIN A PREDEFINED SHOOTING FIELD, ARE MANUALLY OR WITH ELECTRONIC OR MECHANICAL ASSISTANCE LAUNCHED OR OTHERWISE IMMEDIATELY PRESENTED TO THE SHOOTER; OR

(2) WHEN PRESENTED TO THE SHOOTER, ARE:

(I) AFFIXED TO A TETHERING DEVICE; OR

(II) OTHERWISE IMPAIRED FROM ORDINARY MOVEMENT.

* * *

"FOWL." A BIRD, AS DEFINED IN 34 PA.C.S. § 102 (RELATING TO DEFINITIONS). THE TERM EXCLUDES A GAME BIRD.

"GAME BIRD." AS DEFINED IN 34 PA.C.S. § 102 (RELATING TO DEFINITIONS).

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"TRAP SHOOT." A BLOCK SHOOT.

1 * * *

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