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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 15 Session of 2015

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INTRODUCED BY GOODMAN, BOBACK, CARROLL, COHEN, D. COSTA, DEASY, DeLUCA, DONATUCCI, DUNBAR, GIBBONS, GILLEN, KAVULICH, LONGIETTI, MATZIE, McNEILL, MILLARD, MURT, RAVENSTAHL, SAINATO, SCHLOSSBERG, SCHREIBER, SCHWEYER, SIMMONS, STEPHENS, THOMAS AND WATSON, FEBRUARY 9, 2015

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REFERRED TO COMMITTEE ON JUDICIARY, FEBRUARY 9, 2015

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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(c)(2), (h)(1)(i), (2)(i), (3)(i),  
7 (4)(i) and (5)(i) and (m.2) of Title 18 of the Pennsylvania  
8 Consolidated Statutes are amended to read:

9 § 5511. Cruelty to animals.

10 \* \* \*

11 (c) Cruelty to animals.--

12 \* \* \*

13 (2) The following apply:

14 (i) Except as provided in subparagraph (ii), a  
15 person convicted of violating paragraph (1) commits a  
16 [summary offense] misdemeanor of the third degree and  
17 shall, upon conviction, be sentenced to pay a fine of not

1 less than \$750 or to imprisonment for not more than one  
2 year, or both.

3 (ii) A person convicted for a second or subsequent  
4 time of violating paragraph (1) commits a misdemeanor of  
5 the [third] second degree [if all of the following  
6 occurred:

7 (A) The action or omission for which the person  
8 was convicted for a subsequent time was performed on  
9 a dog or cat.

10 (B) The dog or cat was seriously injured,  
11 suffered severe physical distress or was placed at  
12 imminent risk of serious physical harm as the result  
13 of the person's action or omission].

14 \* \* \*

15 (h) Specific violations; prima facie evidence of  
16 violation.--

17 (1) (i) A person commits a [summary offense]  
18 misdemeanor of the third degree and shall, upon  
19 conviction, be sentenced to pay a fine of not less than  
20 \$750 or to imprisonment for not more than one year, or  
21 both, if the person crops, trims or cuts off, or causes  
22 or procures to be cropped, trimmed or cut off, the whole  
23 or part of the ear or ears of a dog.

24 \* \* \*

25 (2) (i) A person commits a [summary offense]  
26 misdemeanor of the third degree and shall, upon  
27 conviction, be sentenced to pay a fine of not less than  
28 \$750 or to imprisonment for not more than one year, or  
29 both, if the person debarks a dog by cutting, causing or  
30 procuring the cutting of its vocal cords or by altering,

1 causing or procuring the alteration of any part of its  
2 resonance chamber.

3 \* \* \*

4 (3) (i) A person commits a [summary offense]  
5 misdemeanor of the third degree and shall, upon  
6 conviction, be sentenced to pay a fine of not less than  
7 \$750 or to imprisonment for not more than one year, or  
8 both, if the person docks, cuts off, causes or procures  
9 the docking or cutting off of the tail of a dog over five  
10 days old.

11 \* \* \*

12 (4) (i) A person commits a [summary offense]  
13 misdemeanor of the third degree and shall, upon  
14 conviction, be sentenced to pay a fine of not less than  
15 \$750 or to imprisonment for not more than one year, or  
16 both, if the person surgically births or causes or  
17 procures a surgical birth.

18 \* \* \*

19 (5) (i) A person commits a [summary offense]  
20 misdemeanor of the third degree and shall, upon  
21 conviction, be sentenced to pay a fine of not less than  
22 \$750 or to imprisonment for not more than one year, or  
23 both, if the person cuts off or causes or procures the  
24 cutting off of the dewclaw of a dog over five days old.

25 \* \* \*

26 (m.2) Prohibition of ownership.--Notwithstanding any  
27 provision of law and in addition to any other penalty provided  
28 by law, the authority imposing sentence upon a conviction for  
29 any violation of this section may order the prohibition or  
30 limitation of the defendant's ownership, possession, control or

1 custody of animals or employment with the care of animals for a  
2 period of time not [to exceed] less than the statutory maximum  
3 term of imprisonment applicable to the offense for which  
4 sentence is being imposed.

5 \* \* \*

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