
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1390 Session of
2015

INTRODUCED BY BROWNE, VULAKOVICH, MENSCH, ALLOWAY AND RAFFERTY,
OCTOBER 17, 2016

REFERRED TO AGRICULTURE AND RURAL AFFAIRS, OCTOBER 17, 2016

AN ACT

1 Amending the act of December 7, 1982 (P.L.784, No.225),
2 entitled, as amended, "An act relating to dogs, regulating
3 the keeping of dogs; providing for the licensing of dogs and
4 kennels; providing for the protection of dogs and the
5 detention and destruction of dogs in certain cases;
6 regulating the sale and transportation of dogs; declaring
7 dogs to be personal property and the subject of theft;
8 providing for the abandonment of animals; providing for the
9 assessment of damages done to animals; providing for payment
10 of damages by the Commonwealth in certain cases and the
11 liability of the owner or keeper of dogs for such damages;
12 imposing powers and duties on certain State and local
13 officers and employees; providing penalties; and creating a
14 Dog Law Restricted Account," in sterilization of dogs and
15 cats, further providing for spaying or neutering as condition
16 for release of certain animals and repealing certain
17 provisions relating to sterilization of dogs and cats.

18 The General Assembly of the Commonwealth of Pennsylvania
19 hereby enacts as follows:

20 Section 1. Section 902-A of the act of December 7, 1982
21 (P.L.784, No.225), known as the Dog Law, added December 11, 1996
22 (P.L.943, No.151), is amended to read:

23 Section 902-A. Spaying or neutering as condition for release of
24 certain animals.

25 No dog or cat may be adopted by a new owner from a releasing

1 agency unless the animal has been sterilized by a licensed
2 doctor of veterinary medicine [or unless the new owner signs an
3 agreement to have the animal sterilized by or under the
4 supervision of a licensed doctor of veterinary medicine and
5 deposits funds with the releasing agency to ensure that the
6 adopted animal will be sterilized. The amount of the deposit
7 required shall be determined by each releasing agency. In no
8 event shall the required deposit be less than \$30 for a dog or
9 \$20 for a cat] of the releasing agency.

10 Section 2. Sections 903-A, 904-A, 905-A, 906-A, 907-A, 908-
11 A, 909-A, 910-A and 911-A of the act are repealed:

12 [Section 903-A. Refund of deposit upon proof of sterilization.

13 The funds deposited with the releasing agency shall be
14 refunded to the new owner upon the presentation of a written
15 statement signed by a licensed doctor of veterinary medicine
16 that the subject animal has been sterilized. However, no refunds
17 shall be made unless the animal was sterilized within 60 days of
18 acquisition in the case of a mature animal or, in the case of an
19 immature animal, within 30 days of the date the animal attained
20 the age of six months.

21 Section 904-A. Rules and sterilization agreement.

22 Releasing agencies may establish any additional rules to
23 implement this article, provided that such rules are not in
24 conflict with the provisions or purpose of this article to
25 require the sterilization of all dogs and cats adopted from
26 releasing agencies. The sterilization agreement to be used by
27 releasing agencies shall be in substantially the following form:

28 STERILIZATION AGREEMENT

29 This agreement is made and entered into this day of
30 , 19 , by and between:

| | | |
|---|--------------------|----------------|
| 1 | (Releasing Agency) | (New Owner) |
| 2 | Name | Name |
| 3 | Address | Address |
| 4 | City Telephone | City Telephone |

5 In consideration of the adoption of this animal and in
6 further consideration of mutual obligations herein, the
7 releasing agency authorizes the adoption of the following animal
8 to the new owner:

9 (describe animal)

10 1. The releasing agency agrees to release the above-listed
11 animal into the care of the new owner and refund the new owner's
12 sterilization deposit provided that:

13 (1) The animal is sterilized by a licensed doctor of
14 veterinary medicine by (give date).

15 (2) A written statement signed by the licensed doctor of
16 veterinary medicine performing the sterilization that the animal
17 has been sterilized by the stated date is given to the releasing
18 agency.

19 2. The new owner accepts the above-listed animal and agrees:

20 (1) To have the animal sterilized by a licensed doctor of
21 veterinary medicine by (give date).

22 (2) To provide written evidence to the releasing agency from
23 the licensed doctor of veterinary medicine performing the
24 sterilization that the animal has been sterilized by the above
25 date listed. This agreement shall be binding upon the assigns,
26 heirs, executors and administrators of the respective parties.
27 The parties hereto have hereunto set their hands the day and
28 year first above written.

29 Amount of deposit

30 Releasing Agency

1 (signature of agent)

2 New Owner

3 (signature of)

4 WRITTEN STATEMENT OF LICENSED DOCTOR OF

5 VETERINARY MEDICINE

6 I hereby certify that the above-described

7 animal has been sterilized on

8 (give date).

9 (Signature of

10 Licensed Doctor of

11 Veterinary

12 Medicine)

13 Address

14 City State Zip

15 Section 905-A. Extension of time to sterilize.

16 Upon presentation of a written report from a licensed doctor
17 of veterinary medicine stating that the life or health of an
18 adopted animal may be jeopardized by sterilization, the
19 releasing agency shall grant a 30-day extension of the period
20 within which sterilization would otherwise be required. Further
21 extensions shall be granted upon additional veterinary reports
22 stating their necessity.

23 Section 906-A. Exemption from sterilization; refund of

24 deposited funds.

25 Upon presentation of a written report from a licensed doctor
26 of veterinary medicine stating that the adopted animal has
27 already been sterilized or can never be sterilized due to old
28 age or a health condition that would likely result in the death
29 of the animal, the sterilization deposit shall be refunded.

30 Section 907-A. Death of adopted animal.

1 Upon request, the releasing agency shall refund deposited
2 funds to the new owner upon reasonable proof being presented to
3 the releasing agency by the new owner that the adopted animal
4 died before the expiration of the period during which the
5 sterilization was required to be completed.

6 Section 908-A. Forfeiture of deposited funds and adopted dog or
7 cat.

8 Failure of a new owner to comply with provisions of this
9 article shall result in the forfeiture of the deposited funds to
10 the releasing agency. The releasing agency may reclaim the dog
11 or cat from the new owner.

12 Section 909-A. Disposition of forfeited funds; record of
13 accounts.

14 Funds which have been forfeited by new owners shall be placed
15 in an interest-bearing account belonging to the releasing
16 agency. The releasing agency may allocate the unused funds from
17 such account to programs which directly promote, subsidize or
18 otherwise reduce the cost of sterilization of animals of the
19 releasing agency. Funds may also be used to provide for the
20 health and welfare of animals being cared for by the releasing
21 agency. The releasing agency shall maintain an accurate
22 accounting of these forfeited funds.

23 Section 910-A. Construction of article.

24 The provisions of this article shall not be construed to
25 require the sterilization of dogs and cats which are being held
26 in releasing agencies which might be claimed by their rightful
27 owners. Further, this article shall not be construed to
28 interfere with municipal ordinances or the policies and programs
29 of releasing agencies that meet or exceed the sterilization
30 requirements set forth in this article.

1 Section 911-A. Penalty.

2 Failure to comply with the provisions of this article
3 relating to the sterilization of animals constitutes a summary
4 offense.]

5 Section 3. This act shall take effect in 60 days.