
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1652 Session of
2017

INTRODUCED BY KULIK, D. COSTA, THOMAS, W. KELLER, SOLOMON,
KORTZ, ENGLISH AND WATSON, JULY 8, 2017

REFERRED TO COMMITTEE ON JUDICIARY, JULY 8, 2017

AN ACT

1 Amending Title 23 (Domestic Relations) of the Pennsylvania
2 Consolidated Statutes, in preliminary provisions relating to
3 divorce, further providing for legislative findings and
4 intent, for definitions and for effect of agreement between
5 parties; and, in property rights, further providing for
6 equitable division of marital property.

7 The General Assembly of the Commonwealth of Pennsylvania
8 hereby enacts as follows:

9 Section 1. Section 3102(b) of Title 23 of the Pennsylvania
10 Consolidated Statutes is amended and the section is amended by
11 adding a subsection to read:

12 § 3102. Legislative findings and intent.

13 * * *

14 (a.1) Companion animals.--The Commonwealth recognizes that
15 companion animals are living beings that are generally regarded
16 as cherished family members that offer their owners
17 companionship, security and assistance. Companion animals occupy
18 a special category of personal property which does not include
19 inanimate personal property. Therefore, it is the policy of the
20 Commonwealth that special consideration be extended to companion

1 animals when the division of personal property is planned or
2 determined under this part.

3 (b) Construction of part.--The objectives and policies set
4 forth in [subsection (a)] subsections (a) and (a.1) shall be
5 considered in construing provisions of this part and shall be
6 regarded as expressing the legislative intent.

7 Section 2. Section 3103 of Title 23 is amended by adding a
8 definition to read:

9 § 3103. Definitions.

10 The following words and phrases when used in this part shall
11 have the meanings given to them in this section unless the
12 context clearly indicates otherwise:

13 * * *

14 "Companion animal." Includes an animal that:

15 (1) is a domesticated, living being commonly referred to
16 as a pet; or

17 (2) has been bought, bred, raised or otherwise acquired
18 in accordance with applicable law for the primary purpose of
19 providing the owner with assistance in relation to a
20 disability, security or companionship, rather than for
21 business or agricultural purposes.

22 * * *

23 Section 3. Sections 3105 and 3502 of Title 23 are amended by
24 adding subsections to read:

25 § 3105. Effect of agreement between parties.

26 * * *

27 (d) Possession and care of companion animal.--
28 Notwithstanding any other provision in this part, parties may
29 enter into an enforceable agreement regarding the possession or
30 care, or both, of a companion animal. Among other things, the

1 agreement may specify the following:

2 (1) The periods of time during which each party will
3 possess the companion animal.

4 (2) The financial responsibility of each party regarding
5 the care of the companion animal.

6 § 3502. Equitable division of marital property.

7 * * *

8 (g) Companion animal.--Upon the request of either party, the
9 court shall provide for the possession or care, or both, of a
10 companion animal of the parties. The court shall consider all
11 relevant factors, including, but not limited to, the following:

12 (1) Whether the companion animal was acquired prior to
13 or during the marriage.

14 (2) The basic daily needs of the companion animal.

15 (3) The party who generally facilitates veterinary care
16 for the companion animal.

17 (4) The party who generally provides the companion
18 animal with social interaction.

19 (5) The party who generally ensures the compliance with
20 State and local regulations regarding the companion animal.

21 (6) The party who provides the greater ability to
22 financially support the companion animal.

23 Section 4. This act shall take effect in 60 days.