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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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SENATE BILL

No. 69 Session of  
2017

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INTRODUCED BY EICHELBERGER, VULAKOVICH, VOGEL, SCAVELLO,  
RESCHENTHALER, COSTA, WAGNER, YUDICHAK, KILLION, HAYWOOD,  
RAFFERTY AND BOSCOLA, JANUARY 12, 2017

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REFERRED TO JUDICIARY, JANUARY 12, 2017

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AN ACT

1 Amending Titles 18 (Crimes and Offenses) and 22 (Detectives and  
2 Private Police) of the Pennsylvania Consolidated Statutes, in  
3 riot, disorderly conduct and related offenses, further  
4 providing for the offense of cruelty to animals; and, in  
5 humane society police officers, further providing for Humane  
6 Society Police Officer Advisory Board.

7 This act shall be referred to as Cordelia's Law.

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

10 Section 1. Section 5511(a)(2.1) of Title 18 of the  
11 Pennsylvania Consolidated Statutes is amended to read:

12 § 5511. Cruelty to animals.

13 (a) Killing, maiming or poisoning domestic animals or zoo  
14 animals, etc.--

15 \* \* \*

16 (2.1) (i) A person commits a misdemeanor of the first  
17 degree if he willfully and maliciously:

18 (A) Kills, maims, mutilates, tortures or  
19 disfigures any dog [or], cat or equine animal,

1           whether belonging to himself or otherwise. [If a  
2           person kills, maims, mutilates, tortures or  
3           disfigures a dog guide for an individual who is  
4           blind, a hearing dog for an individual who is deaf or  
5           audibly impaired or a service dog for an individual  
6           who is physically limited, whether belonging to the  
7           individual or otherwise, that person, in addition to  
8           any other applicable penalty, shall be required to  
9           make reparations for veterinary costs in treating the  
10          dog and, if necessary, the cost of obtaining and  
11          training a replacement dog.]

12                   (B) Administers poison to or exposes any  
13          poisonous substance with the intent to administer  
14          such poison to any dog [or], cat or equine animal,  
15          whether belonging to himself or otherwise.

16                   (ii) Any person convicted of violating the  
17          provisions of this paragraph shall be sentenced to pay a  
18          fine of not less than \$1,000 or to imprisonment for not  
19          more than two years, or both. The court may also order a  
20          presentence mental evaluation. A subsequent conviction  
21          under this paragraph shall be a felony of the third  
22          degree. [This paragraph shall apply to dogs and cats  
23          only.]

24                   (iii) The killing of a dog [or], cat or equine  
25          animal by the owner of that animal is not malicious if it  
26          is accomplished in accordance with the act of December  
27          22, 1983 (P.L.303, No.83), referred to as the Animal  
28          Destruction Method Authorization Law.

29                   (iv) If a person kills, maims, mutilates, tortures  
30          or disfigures a guide dog for an individual who is blind,

1 a hearing dog for an individual who is deaf or audibly  
2 impaired or a service dog for an individual who is  
3 physically limited, whether belonging to the individual  
4 or otherwise, that person, in addition to any other  
5 applicable penalty, shall be required to make reparations  
6 for veterinary costs in treating the dog and, if  
7 necessary, the cost of obtaining and training a  
8 replacement dog.

9 (v) For purposes of this paragraph, "torture" shall  
10 include any of the following, unless directed to be  
11 performed by a licensed veterinarian:

12 (A) breaking, severing or severely impairing  
13 limbs;

14 (B) inflicting severe and prolonged pain from  
15 burning, crushing or wounding; or

16 (C) causing or allowing, through prolonged  
17 deprivation of food or sustenance, a substantial loss  
18 in the animal's appropriate body mass without  
19 veterinary care.

20 \* \* \*

21 Section 2. Section 3715 of Title 22 is amended by adding a  
22 subsection to read:

23 § 3715. Humane Society Police Officer Advisory Board.

24 \* \* \*

25 (g) Development of guidelines.--On or before December 31,  
26 2017, the board shall develop guidelines to assist humane  
27 society police officers, law enforcement officers, the courts  
28 and the department in the implementation and enforcement of both  
29 this chapter and 18 Pa.C.S. § 5511 (relating to cruelty to  
30 animals). The guidelines shall, at a minimum, include the

1 development of objective standards for use in determining the  
2 existence of:

3 (1) torture and other violations of 18 Pa.C.S. § 5511;

4 and

5 (2) the necessary probable cause to support seizure or

6 impoundment of animals.

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