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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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SENATE BILL

No. 1190 Session of  
2018

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INTRODUCED BY FARNESE, WARD, COSTA, STEFANO, RAFFERTY,  
TARTAGLIONE, ALLOWAY, SABATINA, BOSCOLA, BARTOLOTTA, KILLION,  
BREWSTER AND HUGHES, JUNE 14, 2018

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REFERRED TO LAW AND JUSTICE, JUNE 14, 2018

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AN ACT

1 Amending Title 44 (Law and Justice) of the Pennsylvania  
2 Consolidated Statutes, in Pennsylvania State Police,  
3 providing for animal abuse registry; and imposing duties on  
4 the Pennsylvania State Police.

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

7 Section 1. Part II of Title 44 of the Pennsylvania  
8 Consolidated Statutes is amended by adding a chapter to read:

9 CHAPTER 25

10 ANIMAL ABUSE REGISTRY

11 Sec.

12 2501. Definitions.

13 2502. Animal abuse information.

14 2503. Establishment of registry.

15 2504. Contents of registry.

16 2505. Maintenance of information in registry.

17 2506. Posting of information in registry.

18 2507. Expungement.

1 2508. Rules and regulations.

2 § 2501. Definitions.

3 The following words and phrases when used in this chapter  
4 shall have the meanings given to them in this section unless the  
5 context clearly indicates otherwise:

6 "Animal abuse." Any of the following:

7 (1) A violation of 18 Pa.C.S. § 5534 (relating to  
8 aggravated cruelty to animal).

9 (2) A violation of another law of this Commonwealth  
10 regarding the protection or violation of animals, if the  
11 violation constitutes a felony.

12 (3) A violation similar to a violation under paragraph  
13 (1) or (2) that is committed under the laws of the United  
14 States or one of its territories or possessions, another  
15 state, the District of Columbia, the Commonwealth of Puerto  
16 Rico or a foreign country. This paragraph shall only apply if  
17 the person committing the violation is domiciled in this  
18 Commonwealth.

19 "Registry." The animal abuse registry established under  
20 section 2503 (relating to establishment of registry).

21 "State police." The Pennsylvania State Police.

22 § 2502. Animal abuse information.

23 (a) Duty of clerk of court.--The clerk of court of each  
24 judicial district in this Commonwealth shall forward a certified  
25 copy of the judgment of an individual who has been convicted of,  
26 pleaded guilty to or entered a plea of nolo contendere to animal  
27 abuse, along with the date of birth of the individual, to the  
28 State police within 60 calendar days after the date of judgment.

29 (b) Duty of State police.--The State police shall receive  
30 the information under subsection (a) and information from

1 another jurisdiction regarding an individual who has been  
2 convicted of, pleaded guilty to or entered a plea of nolo  
3 contendere to animal abuse.

4 § 2503. Establishment of registry.

5 The State police shall establish and maintain a registry of  
6 individuals who have been convicted of, pleaded guilty to or  
7 entered a plea of nolo contendere to animal abuse.

8 § 2504. Contents of registry.

9 Upon receiving the information under section 2502(b)  
10 (relating to animal abuse information), the State police shall  
11 enter the individual's information into the registry. Each entry  
12 into the registry:

13 (1) Shall include the following:

14 (i) The individual's full legal name.

15 (ii) The date of the animal abuse committed by the  
16 individual.

17 (iii) A description of the animal abuse.

18 (iv) The photograph of the individual that was taken  
19 at the booking center after the individual was charged  
20 with animal abuse.

21 (v) Other information regarding the individual as  
22 the State police determines is necessary to properly  
23 identify the individual as a perpetrator of animal abuse  
24 and exclude innocent individuals from false  
25 identification.

26 (2) Shall not include the individual's Social Security  
27 number, driver's license number or any other Federal or State  
28 identification number.

29 § 2505. Maintenance of information in registry.

30 (a) First offense.--The State police shall maintain the

1 information under section 2504 (relating to contents of  
2 registry) in the registry for two years from the date that the  
3 individual was convicted of, pleaded guilty to or entered a plea  
4 of nolo contendere to animal abuse.

5 (b) Subsequent offenses.--If, during any time period that  
6 information regarding an individual is contained in the  
7 registry, the individual is convicted of, pleads guilty to or  
8 enters a plea of nolo contendere to a subsequent charge of  
9 animal abuse, the State police shall maintain the information  
10 under section 2504 for five years from the date of the  
11 individual's most recent conviction, guilty plea or entry of a  
12 plea of nolo contendere to animal abuse.

13 (c) Removal of information.--If, during the time period  
14 under subsection (a) or (b), the individual is not convicted of,  
15 does not plead guilty to and does not enter a plea of nolo  
16 contendere to a subsequent charge of animal abuse, the State  
17 police shall remove the information regarding the individual  
18 from the registry upon the expiration of that period.

19 § 2506. Posting of information in registry.

20 The State police shall post on its publicly accessible  
21 Internet website the contents of the registry under section 2504  
22 (relating to contents of registry).

23 § 2507. Expungement.

24 Upon the review of a petition of an individual who was  
25 convicted of, pleaded guilty to or entered a plea of nolo  
26 contendere to animal abuse and upon good cause shown, a court of  
27 competent jurisdiction may order the expungement of the  
28 individual's criminal history information regarding animal  
29 abuse. If expungement is ordered, the State police shall  
30 immediately remove all the information subject to the

1 expungement from the registry and the publicly accessible  
2 Internet website.

3 § 2508. Rules and regulations.

4 The State police shall promulgate rules and regulations  
5 necessary to implement the provisions of this chapter.

6 Section 2. The addition of 44 Pa.C.S. Ch. 25 shall apply to  
7 individuals who have been convicted of, pleaded guilty to or  
8 entered a plea of nolo contendere to animal abuse on or after  
9 the effective date of this act.

10 Section 3. This act shall take effect January 1, 2019.