

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 940 Session of 2021

INTRODUCED BY RIGBY, E. NELSON, KNOWLES, RYAN, KULIK, JAMES, SMITH, GUENST, POLINCHOCK, SCHMITT, THOMAS, SANKEY, SILVIS, FARRY, KAIL, KAUFFMAN, STRUZZI, SCHLEGEL CULVER, DAVANZO, DRISCOLL, JOZWIAK, HERSHEY, CAUSER, GREGORY, ECKER, OBERLANDER, MOUL, ZIMMERMAN, WHEELAND, MERCURI, MASSER, SAINATO, GILLEN AND C. WILLIAMS, MARCH 17, 2021

AS AMENDED ON SECOND CONSIDERATION, HOUSE OF REPRESENTATIVES, JUNE 8, 2021

AN ACT

1 Amending ~~Title 18 (Crimes and Offenses)~~ TITLES 18 (CRIMES AND <--
2 OFFENSES) AND 53 (MUNICIPALITIES GENERALLY) of the
3 Pennsylvania Consolidated Statutes, IN BURGLARY AND OTHER <--
4 CRIMINAL INTRUSION, FURTHER PROVIDING FOR DEFINITIONS, FOR
5 THE OFFENSE OF BURGLARY AND FOR THE OFFENSE OF CRIMINAL
6 TRESPASS; in cruelty to animals, further providing for police
7 animals; AND, IN EMPLOYEES, PROVIDING FOR CANINE TRAINING <--
8 STANDARDS FOR POLICE OFFICERS.

9 ~~This act may be referred to as Titan's Law.~~ <--

10 The General Assembly of the Commonwealth of Pennsylvania
11 hereby enacts as follows:

12 ~~Section 1. Section 5548 of Title 18 of the Pennsylvania~~ <--
13 ~~Consolidated Statutes is amended to read:~~

14 SECTION 1. SECTION 3501 OF TITLE 18 OF THE PENNSYLVANIA <--
15 CONSOLIDATED STATUTES IS AMENDED BY ADDING A DEFINITION TO READ:
16 § 3501. DEFINITIONS.

17 SUBJECT TO ADDITIONAL DEFINITIONS CONTAINED IN SUBSEQUENT
18 PROVISIONS OF THIS CHAPTER WHICH ARE APPLICABLE TO SPECIFIC

1 PROVISIONS OF THIS CHAPTER, THE FOLLOWING WORDS OR PHRASES WHEN
2 USED IN THIS CHAPTER SHALL HAVE, UNLESS THE CONTEXT CLEARLY
3 INDICATES OTHERWISE, THE MEANINGS GIVEN TO THEM IN THIS SECTION:

4 "DOMESTIC ANIMAL." AS DEFINED IN SECTION 5531 (RELATING TO
5 DEFINITIONS).

6 * * *

7 SECTION 2. SECTIONS 3502 AND 3503 OF TITLE 18 ARE AMENDED BY
8 ADDING SUBSECTIONS TO READ:

9 § 3502. BURGLARY.

10 * * *

11 (D.1) SENTENCING ENHANCEMENT.--THE PENNSYLVANIA COMMISSION
12 ON SENTENCING, IN ACCORDANCE WITH 42 PA.C.S. § 2154 (RELATING TO
13 ADOPTION OF GUIDELINES FOR SENTENCING), SHALL PROVIDE FOR A
14 SENTENCING ENHANCEMENT FOR COURTS TO CONSIDER IN CASES INVOLVING
15 BURGLARY WHERE A DOMESTIC ANIMAL IS HARMED OR KILLED IN THE
16 COURSE OF THE BURGLARY.

17 * * *

18 § 3503. CRIMINAL TRESPASS.

19 * * *

20 (C.1) SENTENCING ENHANCEMENT.--THE PENNSYLVANIA COMMISSION
21 ON SENTENCING, IN ACCORDANCE WITH 42 PA.C.S. § 2154 (RELATING TO
22 ADOPTION OF GUIDELINES FOR SENTENCING), SHALL PROVIDE FOR A
23 SENTENCING ENHANCEMENT FOR COURTS TO CONSIDER IN CASES INVOLVING
24 CRIMINAL TRESPASS WHERE A DOMESTIC ANIMAL IS HARMED OR KILLED IN
25 THE COURSE OF THE CRIMINAL TRESPASS.

26 * * *

27 SECTION 3. SECTION 5548 OF TITLE 18 IS AMENDED TO READ:

28 § 5548. Police animals.

29 (a) Illegal to taunt police animals.--It shall be unlawful
30 for a person to intentionally or knowingly taunt, torment,

1 tease, beat, kick or strike a police animal. A person who
2 violates the provisions of this subsection commits a felony of
3 the third degree.

4 (b) Illegal to torture or kill police animals.--It shall be
5 unlawful for a person to [intentionally]:

6 (1) Intentionally or knowingly torture, mutilate,
7 injure, disable, poison or kill a police animal. A person who
8 violates the provisions of this [subsection] paragraph
9 commits a felony of the second degree.

10 (2) Recklessly torture, mutilate, injure, disable,
11 poison or kill a police animal. A person who violates the
12 provisions of this paragraph commits a misdemeanor of the
13 first degree.

14 (b.1) Illegal to torture or kill police animals during
15 perpetration of felony.--It shall be unlawful for a person to
16 torture, mutilate, injure, disable, poison or kill a police
17 animal while engaged as a principal or an accomplice in the
18 perpetration of a felony. A person who violates the provisions
19 of this subsection commits a felony of the third degree.

20 (c) Restitution.--In a case in which a defendant is
21 convicted of a violation of subsection (a) [or (b)], (b) or
22 (b.1) the defendant shall be ordered to make restitution to the
23 agency or individual owning the animal for veterinary bills, for
24 replacement costs of the animal if it is disabled or killed and
25 for the salary of the animal's handler for the period of time
26 the handler's services are lost to the agency.

27 SECTION 4. TITLE 53 IS AMENDED BY ADDING A SECTION TO READ: <--
28 § 2172. CANINE TRAINING STANDARDS FOR POLICE OFFICERS.

29 (A) ESTABLISHMENT.--THE COMMISSION, IN COLLABORATION WITH
30 THE PENNSYLVANIA STATE POLICE AND MUNICIPAL POLICE DEPARTMENT

1 CANINE UNITS OR OFFICERS, SHALL ESTABLISH POLICE OFFICER CANINE
2 TRAINING AND CERTIFICATION STANDARDS, INCLUDING ALL OF THE
3 FOLLOWING:

4 (1) STANDARDS FOR INITIAL CERTIFICATIONS.

5 (2) STANDARDS FOR MAINTENANCE CERTIFICATIONS.

6 (3) RECORD KEEPING POLICIES AND PROCEDURES FOR POLICE
7 DEPARTMENT CANINE UNITS OR OFFICERS.

8 (B) UPDATES.--THE COMMISSION SHALL REVIEW AND UPDATE THE
9 STANDARDS UNDER SUBSECTION (A) AS THE COMMISSION DEEMS NECESSARY
10 AND AT LEAST EVERY TWO YEARS.

11 (C) NOTICE.--THE COMMISSION SHALL TRANSMIT NOTICE OF THE
12 STANDARDS ESTABLISHED AND UPDATED UNDER THIS SECTION TO THE
13 LEGISLATIVE REFERENCE BUREAU FOR PUBLICATION IN THE PENNSYLVANIA
14 BULLETIN.

15 Section 2 5. This act shall take effect in 60 days.

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