

THE GENERAL ASSEMBLY OF PENNSYLVANIA

**SENATE BILL**

No. **1435** Session of  
2010

INTRODUCED BY ALLOWAY, DINNIMAN, WASHINGTON, FERLO, COSTA,  
O'PAKE, McILHINNEY, WOZNIAK, MUSTO, RAFFERTY, LOGAN,  
ERICKSON, FARNESE AND LEACH, JULY 8, 2010

REFERRED TO AGRICULTURE AND RURAL AFFAIRS, JULY 8, 2010

AN ACT

Amending Title 18 (Crimes and Offenses) of the Pennsylvania  
Consolidated Statutes, further providing for the offense of  
cruelty to animals.

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

Section 1. Section 5511(c)(1) of Title 18 of the  
Pennsylvania Consolidated Statutes is amended and the section is  
amended by adding a subsection to read:

§ 5511. Cruelty to animals.

\* \* \*

(c) Cruelty to animals.--

(1) A person commits an offense if he wantonly or  
cruelly illtreats, overloads, beats, otherwise abuses any  
animal, or neglects any animal as to which he has a duty of  
care, whether belonging to himself or otherwise, or abandons  
any animal, or deprives any animal of necessary sustenance,  
potable drink, shelter or veterinary care, or access to clean  
and sanitary shelter which will protect the animal against

1 inclement weather and preserve the animal's body heat and  
2 keep it dry.

3 \* \* \*

4 (c.1) Tethering of dogs.--

5 (1) Except as otherwise provided under paragraph (2), a  
6 person commits a summary offense if the person tethers a dog  
7 outside and unattended to any stationary object by use of a  
8 restraint between the hours of 10 p.m. and 6 a.m. or fails to  
9 satisfy the following:

10 (i) The tether used shall be placed or attached so  
11 that the dog cannot become entangled with other objects  
12 and to allow the dog to roam the full range of the  
13 tether. The tether must be of a type commonly used for  
14 the size of dog involved. No tow chain may be used.

15 (ii) The tether must be attached to the dog by means  
16 of a well-fitted collar or body harness that will not  
17 cause trauma or injury to the dog. No choke, pinch, prong  
18 or other chain collar may be used.

19 (iii) The tether must be a minimum of six feet long  
20 or at least five times the length of the dog as measured  
21 from the tip of its nose to the base of its tail,  
22 whichever is longer, and must allow the dog convenient  
23 and unfettered access to shelter and food and water  
24 containers. The tether may not become wrapped around any  
25 appendage such that it restricts the dog's movement.

26 (iv) While tethered, the dog must be provided with  
27 protection from the direct rays of the sun, and at least  
28 one area of shade other than the shelter must be  
29 provided.

(v) A tethered dog must be free of open sores or

1 wounds on its body.

2 (vi) A dog may not be tethered outside during  
3 periods of temperature below 32 degrees Farenheit or  
4 above 90 degrees Farenheit, or when a weather advisory or  
5 warning has been issued.

6 (2) The following activity shall not result in an  
7 offense under paragraph (1):

8 (i) Tethering a dog for a period not to exceed 15  
9 minutes as long as the dog is not in danger or a nuisance  
10 or does not put the public in danger.

11 (ii) Tethering a dog while actively engaged in or  
12 actively training for an activity that is conducted  
13 pursuant to a valid license issued by the Commonwealth if  
14 the activity for which the license is issued is  
15 associated with the use or presence of a dog.

16 (iii) Tethering a dog that is used in the course of  
17 commercial agricultural production or is used for the  
18 protection of commercial farm property, agricultural  
19 supplies or products.

20 (iv) Tethering a dog while actively participating in  
21 or attending an organized dog show, field trial, agility  
22 event, herding contest or other similar exposition or  
23 event, of a limited duration, that involves the judging  
24 or evaluation of dogs.

25 (v) Tethering a dog being raised, trained or  
26 utilized for sled racing so long as the dog is regularly  
27 untethered for exercise and training.

28 (vi) Tethering a dog pursuant to the requirements of  
29 a camping or recreational area.

(3) A person who commits an offense under this

1 subsection may, upon conviction, and in addition to any other  
2 penalty authorized by law, be subject to forfeiture of the  
3 dog.

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