
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 373 Session of
2015

INTRODUCED BY ALLOWAY, SCAVELLO, TEPLITZ, TARTAGLIONE, FONTANA,
BREWSTER, COSTA, VULAKOVICH, FARNESE, SMITH, WARD, HUGHES,
LEACH, SCHWANK, WHITE, STEFANO, BOSCOLA, MENSCH AND DINNIMAN,
FEBRUARY 3, 2015

REFERRED TO JUDICIARY, FEBRUARY 3, 2015

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, in riot, disorderly conduct and
3 related offenses, further providing for the offense of
4 cruelty to animals.

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

7 Section 1. Section 5511(c) (2) of Title 18 of the
8 Pennsylvania Consolidated Statutes is amended and the section is
9 amended by adding subsections to read:

10 § 5511. Cruelty to animals.

11 * * *

12 (c) Cruelty to animals.--

13 * * *

14 (2) (i) Except as provided in [subparagraph]
15 subparagraphs (ii) and (iii), a person convicted of
16 violating paragraph (1) commits a summary offense.

17 (ii) A person convicted for a second or subsequent
18 time of violating paragraph (1) commits a misdemeanor of

1 the third degree if all of the following occurred:

2 (A) The action or omission for which the person
3 was convicted for a subsequent time was performed on
4 a dog or cat.

5 (B) The dog or cat was seriously injured,
6 suffered severe physical distress or was placed at
7 imminent risk of serious physical harm as the result
8 of the person's action or omission.

9 (iii) A person convicted of violating paragraph (1)
10 in combination with a first violation of subsection (c.1)
11 or (c.2) commits a misdemeanor of the third degree.

12 * * *

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

14 (1) Except as otherwise provided under subsection (c) (2)
15 or paragraph (2), a person commits a summary offense if the
16 person tethers an unattended dog, by use of a physical
17 restraint, to any stationary or highly immobile object unless
18 all of the following apply:

19 (i) The tethering is not for a longer period of time
20 than is reasonably necessary for the dog or person to
21 complete a temporary task that requires the dog to be
22 physically restrained.

23 (ii) The dog is periodically monitored while
24 tethered.

25 (iii) The tether is attached to the dog by a
26 nonchoke-type collar and is attached to the object by
27 swivel anchors, latches or similar devices in a manner
28 which prevents the tether from:

29 (A) becoming entangled around any object so as
30 to limit the dog's freedom; or

1 (B) entangling the dog or any of the dog's
2 appendages.

3 (iv) The tether used to restrain the dog is of a
4 type commonly used for the dog involved and is not
5 thicker than one-eighth of an inch.

6 (v) The tether is at least three times the length of
7 the dog, as measured from the tip of the dog's nose to
8 the base of the dog's tail, but not less than 10 feet in
9 length.

10 (vi) The dog has easy access to potable drinking
11 water, edible food and adequate shade and shelter within
12 the tethered area, unless the dog is being directly
13 supervised.

14 (vii) The dog is not tethered outdoors:

15 (A) during any period in which a severe weather
16 warning has been issued for the area by the National
17 Weather Service; or

18 (B) for a continuous period of time greater than
19 30 minutes if the temperature is below 32 degrees
20 Fahrenheit or above 90 degrees Fahrenheit.

21 (2) A person convicted for a second or subsequent time
22 of violating paragraph (1) commits a misdemeanor of the third
23 degree.

24 (3) A person who commits an offense under this
25 subsection shall, upon conviction, be sentenced to pay:

26 (i) a fine of not less than \$200 nor more than \$750;

27 (ii) all veterinary costs;

28 (iii) shelter costs, which may not exceed \$15 per
29 day per dog; and

30 (iv) court costs.

1 (c.2) Shelters for dogs.--

2 (1) A person in charge or control of a dog which is kept
3 outdoors or in an unheated enclosure shall, at a minimum,
4 provide the dog with shelter and bedding as follows:

5 (i) The following shall apply:

6 (A) The shelter must be a moisture-proof and
7 wind-proof structure of suitable size to accommodate
8 the dog and allow retention of body heat. At minimum,
9 a shelter must meet the following dimensions:

10 (I) Depth - dog's length plus 12 inches.

11 (II) Width - dog's length plus 18 inches.

12 (III) Height - dog's height plus 3 inches on
13 the low side of the shelter and dog's height plus
14 9 inches on the high side of the shelter.

15 (B) The shelter must be made of durable material
16 with a solid, moisture-proof floor raised at least
17 three inches from the ground.

18 (C) The roof must extend eight inches over the
19 doorway to keep out rain.

20 (D) The shelter may not be constructed of any
21 material that readily conducts heat or cold.

22 (ii) Between May 1 and October 31, the person in
23 charge or control of the dog must ensure that the dog is
24 provided with shade from the direct rays of the sun.

25 (iii) Between November 1 and March 31, the structure
26 must have a windbreak at the entrance. The person in
27 charge or control of the dog must provide a sufficient
28 quantity of suitable bedding material to provide
29 insulation and protection against cold and dampness and
30 promote retention of body heat. Hay, blankets, rags or

1 other material that retains moisture may not be utilized
2 for bedding.

3 (2) (i) Except as provided under subsection (c)(2) or
4 subparagraph (ii), a person convicted of violating
5 paragraph (1) commits a summary offense.

6 (ii) A person convicted for a second or subsequent
7 time of violating paragraph (1) commits a misdemeanor of
8 the third degree.

9 (3) A person who commits an offense under this
10 subsection shall, upon conviction, be sentenced to pay:

11 (i) a fine of not less than \$200 nor more than \$750;

12 (ii) all veterinary costs;

13 (iii) shelter costs, which may not exceed \$15 per
14 day per dog; and

15 (iv) court costs.

16 * * *

17 Section 2. This act shall take effect immediately.