

ments, files, safes and vaults of such persons for the purpose of discovering violations of this act.

Section 16. Penalties.—Any person who directly or through another violates or attempts to violate any provision of this act shall be guilty of a misdemeanor, and shall be fined not less than two thousand five hundred dollars (\$2,500), nor more than five thousand dollars (\$5,000) or shall be imprisoned not less than six months nor more than two years in the discretion of the court.

Section 17. Severability.—If any provision of this act or the application thereof to any person or circumstances is held unconstitutional, such unconstitutionality shall not affect or impair the remaining provisions of this act.

Section 18. Effective Date.—This act shall become effective on January 1, 1966.

APPROVED—The 2nd day of September, A. D. 1965.

WILLIAM W. SCRANTON

No. 250

AN ACT

SB 61

Amending the act of June 24, 1939 (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," changing the penalty for cruelty to animals and extending the provisions to include additional animals.

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

Section 1. Section 942, act of June 24, 1939 (P. L. 872), known as "The Penal Code," is amended to read:

Section 942. Cruelty to [Domestic] Animals.—Whoever wantonly or cruelly illtreats, overloads, beats or otherwise abuses any animal, whether belonging to himself or otherwise, or abandons any [maimed, sick, infirm or disabled] animal, or keeps or uses, or in any way is connected with, or interested in the management of, or receives money for the admission of any person to any place kept or used for the purpose of fighting or baiting any bull, bear, dog, cock or other creature, or encourages, aids or assists therein, or permits or suffers any place to be so kept or used, shall, upon conviction thereof in a summary proceeding, be sentenced for the first offense to pay a fine of not more than [twenty dollars (\$20)] one hundred dollars (\$100), and for the second and every subsequent

offense, a fine not exceeding [fifty dollars (\$50) to be paid to any regular incorporated society for the prevention of cruelty to animals, bringing the prosecution,] three hundred dollars (\$300) and if said fine and the costs are not paid, then the magistrate shall commit said offender to the county prison, there to remain until discharged by due course of law. In addition to the fine for the second and every subsequent offense a sentence of imprisonment for a period of not more than thirty (30) days may be imposed. The fine shall be paid to the treasury of the municipality in which said offense occurred.

APPROVED—The 9th day of September, A. D. 1965.

WILLIAM W. SCRANTON

No. 251

AN ACT

HB 171

Requiring physicians, hospitals and other institutions to administer or cause to be administered tests for phenylketonuria and other metabolic diseases upon infants in certain cases.

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

Section 1. Every hospital or other institution caring for newborn infants, or any physician having in his care newborn infants shall administer or cause to be administered to every such infant in its or his care a test for phenylketonuria approved by the Advisory Health Board of the State Department of Health and tests for such other metabolic diseases of the newborn which may lead to mental retardation or physical defects and which may be approved by such Advisory Health Board. No such test shall be made if the parent or guardian of the newborn child dissents on the ground that the test conflicts with his religious beliefs or practices.

APPROVED—The 9th day of September, A. D. 1965.

WILLIAM W. SCRANTON