

No. 1990-45

AN ACT

HB 159

Amending the act of December 7, 1982 (P.L.784, No.225), entitled "An act relating to dogs, regulating the keeping of dogs; providing for the licensing of dogs and kennels; providing for the protection of dogs and the detention and destruction of dogs in certain cases; regulating the sale and transportation of dogs; declaring dogs to be personal property and the subject of theft; providing for the assessment of damages done to livestock, poultry and domestic game birds; providing for payment of damages by the Commonwealth in certain cases and the liability of the owner or keeper of dogs for such damages; imposing powers and duties on certain State and local officers and employees; providing penalties; and creating a Dog Law Restricted Account," exempting certain puppies being trained as dog guides for the blind from licensing requirements; and further providing for offenses relating to dogs used for law enforcement.

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

Section 1. Sections 217 and 602 of the act of December 7, 1982 (P.L.784, No.225), known as the Dog Law, are amended to read:

Section 217. Guide dogs, hearing dogs, aid dogs for the handicapped and dogs used by municipal or State Police departments.

(a) *Fee exemptions.*—The provisions of this act relating to the payment of fees and other charges shall not apply to any blind person owning a guide dog or any deaf person owning a hearing dog or any handicapped person who uses a dog for aid or any municipal or State Police department or agency using a dog in the performance of the functions or duties of such department or agency. License tags for dog guides for the blind, hearing dogs for the deaf, aid dogs for the handicapped and dogs used by any municipal or State agency in the performance of the functions or duties of such department or agency shall be issued without charge.

(b) *Licensing exemption for puppies being trained to be dog guides for the blind.*—*Notwithstanding the provisions of section 201 or any other provisions of this act, puppies that are brought into this Commonwealth for a period of less than 18 months as part of a formalized training to be dog guides for the blind shall be exempt from the licensing requirements of this act.*

Section 602. Dogs used for law enforcement.

(a) *Illegal to taunt law enforcement dogs.*—It shall be unlawful for any person to willfully and maliciously taunt, torment, tease, beat, kick or strike any dog used by any municipal or State police department or agency in the performance of the functions or duties of such department or agency or to **[interfere with or meddle]** *commit any of the stated acts in the course of interfering* with any such dog used by the department or agency or any member thereof in the performance of the functions or duties of the depart-

ment or agency or of such officer or member. *Any person who violates any of the provisions of this subsection commits a misdemeanor of the second degree.*

(b) *Illegal to torture certain dogs.—It shall be unlawful for any person to willfully or maliciously torture, mutilate, injure, disable, poison or kill any dog used by any municipal or State police department or agency in the performance of the functions or duties of the department or agency or to [interfere with or meddle] commit any of the stated acts in the course of interfering with any such dog used by the department or agency or any member thereof in the performance of any of the functions or duties of the department or agency or of such officer or member. Any person who violates any of the provisions of this [section is guilty of a summary offense] subsection commits a misdemeanor of the first degree.*

(c) *Illegal to deny facilities or service due to police dog use.—It shall be unlawful for the proprietor, manager or employee of a theater, hotel, motel, restaurant or other place of entertainment, amusement or accommodation to refuse, withhold from or deny to any person, due to the use of a working police dog used by any State or municipal police department or agency, either directly or indirectly, any of the accommodations, advantages, facilities or privileges of the theater, hotel, motel, restaurant or other place of public entertainment, amusement or accommodation. Any person who violates any of the provisions of this subsection commits a misdemeanor of the third degree.*

[(c)] (d) *Quarantine of certain dogs not required.—Quarantine of dogs as required by law shall not apply to dogs owned by any municipal or State police department or agency when such dogs are under the direct supervision and care of a police officer and subject to routine veterinary care.*

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

APPROVED—The 31st day of May, A. D. 1990.

ROBERT P. CASEY