

No. 2012-62

AN ACT

HB 165

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 of Title 18 of the Pennsylvania Consolidated Statutes is amended by adding subsections to read:

§ 5511. Cruelty to animals.

\* \* \*

*(a.1) Guide dogs.—*

*(1) A person commits a misdemeanor of the third degree if he is the owner or co-owner of a dog that kills, maims or disfigures a guide dog of an individual who is blind, a hearing dog of an individual who is deaf or audibly impaired or a service dog of an individual who is physically limited without provocation by the guide, hearing or service dog or the individual.*

*(2) A person commits an offense under this subsection only if the person knew or should have known that the dog he owns or co-owns had a propensity to attack human beings or domestic animals without provocation and the owner or co-owner knowingly or recklessly failed to restrain the dog or keep the dog in a contained, secure manner.*

*(3) Any person convicted of violating the provisions of this subsection shall be sentenced to pay a fine of not more than \$5,000 and shall be ordered to make reparations for veterinary costs in treating the guide, hearing or service dog and, if necessary, the cost of obtaining and training a replacement guide, hearing or service dog.*

*(a.2) Civil penalty and restitution.—*

*(1) A person who is the owner or co-owner of a dog that kills, maims or disfigures a guide dog of an individual who is blind, a hearing dog of an individual who is deaf or audibly impaired or a service dog of an individual who is physically limited shall be subject to paragraph (2) if all of the following apply:*

*(i) The owner or co-owner knew the dog had a propensity to attack human beings or domestic animals.*

*(ii) The owner or co-owner failed to restrain the dog or keep the dog in a contained, secure manner.*

*(2) A court of common pleas may impose any of the following upon any person who is the owner or co-owner of a dog under paragraph (1):*

*(i) A civil penalty of up to \$15,000.*

*(ii) Reparations for veterinary costs in treating the guide, hearing or service dog and, if necessary, the cost of retraining the dog or of obtaining and training a replacement guide, hearing or service dog.*

*(iii) Loss of income for the time the individual is unable to work due to the unavailability of the guide, hearing or service dog.*

\* \* \*

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

APPROVED—The 13th day of June, A.D. 2012

TOM CORBETT