
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 779 Session of
2017

INTRODUCED BY TOMLINSON, RAFFERTY, FOLMER, COSTA, BOSCOLA, WARD,
STEFANO, BREWSTER, REGAN, RESCHENTHALER AND MENSCH,
JUNE 16, 2017

REFERRED TO JUDICIARY, JUNE 16, 2017

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; and, in trade and commerce, further
5 providing for the offense of discrimination on account of
6 guide, signal or service dog or other aid animal.

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

9 Section 1. Section 5511(a)(1)(iii) and (2.1)(i)(A), (a.1)(1)
10 and (3), (a.2)(1) introductory paragraph and (2) of Title 18 of
11 the Pennsylvania Consolidated Statutes are amended and
12 subsection (q) is amended by adding a definition to read:

13 § 5511. Cruelty to animals.

14 (a) Killing, maiming or poisoning domestic animals or zoo
15 animals, etc.--

16 (1) A person commits a misdemeanor of the second degree
17 if he willfully and maliciously:

18 * * *

19 (iii) Harasses, annoys, injures, attempts to injure,

1 molests or interferes with a [dog guide for an individual
2 who is blind, a hearing dog for an individual who is deaf
3 or audibly impaired or a service dog for an individual
4 who is physically limited.] service, guide or support dog
5 of an individual with a disability.

6 * * *

7 (2.1) (i) A person commits a misdemeanor of the first
8 degree if he willfully and maliciously:

9 (A) Kills, maims, mutilates, tortures or
10 disfigures any dog or cat, whether belonging to
11 himself or otherwise. If a person kills, maims,
12 mutilates, tortures or disfigures a [dog guide for an
13 individual who is blind, a hearing dog for an
14 individual who is deaf or audibly impaired or a
15 service dog for an individual who is physically
16 limited] service, guide or support dog of an
17 individual with a disability, whether belonging to
18 the individual or otherwise, that person, in addition
19 to any other applicable penalty, shall be required to
20 make reparations for veterinary costs in treating the
21 dog and, if necessary, the cost of obtaining and
22 training a replacement dog.

23 * * *

24 (a.1) Guide dogs.--

25 (1) A person commits a misdemeanor of the third degree
26 if he is the owner or co-owner of a dog that kills, maims or
27 disfigures a [guide dog of an individual who is blind, a
28 hearing dog of an individual who is deaf or audibly impaired
29 or a service dog of an individual who is physically limited]
30 service, guide or support dog of an individual with a

1 disability without provocation by the [guide, hearing or
2 service] service, guide or support dog or the individual.

3 * * *

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

11 (a.2) Civil penalty and restitution.--

12 (1) A person who is the owner or co-owner of a dog that
13 kills, maims or disfigures a [guide dog of an individual who
14 is blind, a hearing dog of an individual who is deaf or
15 audibly impaired or a service dog of an individual who is
16 physically limited] service, guide or support dog of an
17 individual with a disability shall be subject to paragraph

18 (2) if all of the following apply:

19 * * *

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

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

24 (ii) Reparations for veterinary costs in treating
25 the [guide, hearing or service] service, guide or support
26 dog and, if necessary, the cost of retraining the dog or
27 of obtaining and training a replacement [guide, hearing
28 or service] service, guide or support dog.

29 (iii) Loss of income for the time the individual is
30 unable to work due to the unavailability of the [guide,

1 [hearing or service] service, guide or support dog.

2 * * *

3 (q) Definitions.--As used in this section, the following
4 words and phrases shall have the meanings given to them in this
5 subsection:

6 * * *

7 "Service, guide or support dog." A dog that is trained to do
8 work or perform tasks for the benefit of an individual with a
9 disability consistent with Federal and State laws relating to
10 service animals.

11 * * *

12 Section 2. Section 7325 of Title 18 is amended to read:

13 § 7325. Discrimination on account of [guide, signal or service]
14 service, guide or support dog or other aid animal.

15 (a) Offense.--A person is guilty of a summary offense if he,
16 being the proprietor, manager or employee of a theatre, hotel,
17 restaurant or other place of public accommodation, entertainment
18 or amusement, refuses, withholds or denies any person, who is
19 using a [guide, signal or service] service, guide or support dog
20 or other aid animal that has been certified by a recognized
21 authority to assist a person, because of the [physical
22 disability, blindness or deafness of the user] disability of the
23 person, or who is training a [guide, signal or support] service,
24 guide or support dog or other aid animal for or from a
25 recognized authority for such a user, the use of or access to
26 any accommodation, advantage, facility or privilege of such
27 theatre, hotel, restaurant or other place of public
28 entertainment or amusement.

29 (b) Definition.--As used in this section, the term "service,
30 guide or support dog" means a dog that is trained to do work or

1 perform tasks for the benefit of an individual with a disability
2 consistent with Federal and State laws relating to service
3 animals.

4 Section 3. This act shall take effect in 60 days.