
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 323 Session of
2017

INTRODUCED BY NEILSON, BURNS, MURT, SCHLOSSBERG, SAINATO,
O'BRIEN, W. KELLER, DRISCOLL, V. BROWN, D. COSTA, McNEILL,
MILLARD, SANTORA, DeLUCA AND DONATUCCI, FEBRUARY 3, 2017

REFERRED TO COMMITTEE ON JUDICIARY, FEBRUARY 3, 2017

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, in offenses against public order and
3 decency, further providing for the offense of cruelty to
4 animals.

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

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

10 § 5511. Cruelty to animals.

11 * * *

12 (c) Cruelty to animals.--

13 (1) A person commits an offense if he wantonly or
14 cruelly illtreats, overloads, beats, otherwise abuses any
15 animal, or neglects any animal as to which he has a duty of
16 care, whether belonging to himself or otherwise, or abandons
17 any animal, or deprives any animal of necessary sustenance,
18 potable drink, shelter or veterinary care, or access to clean

1 and sanitary shelter which will protect the animal against
2 inclement weather and preserve the animal's body heat and
3 keep it dry.

4 * * *

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

6 (1) Except as otherwise provided under paragraph (2), a
7 person commits a summary offense if the person tethers a dog
8 outside to any stationary object by use of a restraint and
9 leaves the dog unattended between the hours of 10 p.m. and 6
10 a.m. or fails to satisfy the following:

11 (i) The tether must be placed or attached so that
12 the dog cannot become entangled with other objects and to
13 allow the dog to roam the full range of the tether. The
14 tether must be of a type commonly used for the size of
15 dog involved. No tow chain may be used.

16 (ii) The tether must be attached to the dog by means
17 of a well-fitted collar or body harness that will not
18 cause trauma or injury to the dog. No choke, pinch, prong
19 or other chain collar may be used.

20 (iii) The tether must be a minimum of six feet long
21 or at least five times the length of the dog as measured
22 from the tip of the dog's nose to the base of the dog's
23 tail, whichever is longer, and must allow the dog
24 convenient and unfettered access to shelter and food and
25 water containers. The tether may not become wrapped
26 around any appendage such that the tether restricts the
27 dog's movement.

28 (iv) While tethered, the dog must be provided with
29 protection from the direct rays of the sun and at least
30 one area of shade, other than the shelter, must be

1 provided.

2 (v) A tethered dog must be free of open sores or
3 wounds.

4 (vi) A dog may not be tethered outside during
5 periods of temperature below 32 degrees Fahrenheit or
6 above 90 degrees Fahrenheit or when a weather advisory or
7 warning has been issued by the National Weather Service.

8 (2) The following activity shall not result in an
9 offense under paragraph (1):

10 (i) Tethering a dog for a period not to exceed 15
11 minutes, as long as the dog is not in danger or a
12 nuisance or does not put the public in danger.

13 (ii) Tethering a dog while actively engaged in or
14 actively training for an activity that is conducted
15 pursuant to a valid license issued by the Commonwealth,
16 if the activity for which the license is issued is
17 associated with the use or presence of a dog.

18 (iii) Tethering a dog that is used in the course of
19 commercial agricultural production or for the protection
20 of commercial farm property, agricultural supplies or
21 products.

22 (iv) Tethering a dog while actively participating in
23 or attending an organized dog show, field trial, agility
24 event, herding contest or other similar exposition or
25 event, of a limited duration, that involves the judging
26 or evaluation of dogs.

27 (v) Tethering a dog being raised, trained or
28 utilized for sled racing, as long as the dog is regularly
29 untethered for exercise and training.

30 (vi) Tethering a dog pursuant to the requirements of

1 a camping or recreational area.

2 (3) A person who commits an offense under this
3 subsection may, upon conviction, and in addition to any other
4 penalty authorized by law, be subject to forfeiture of the
5 dog.

6 * * *

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