House Judiciary Committee Voting Meeting
Majority Caucus Room
Room 140 Main Capitol
Harrisburg, PA 17120
October 15, 2025
11:00 AM

Agenda

House Bill 1604 (DELLOSO) An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, in employees, providing for mandatory firearms training for certain officers.

A01901 (Briggs)

House Bill 1822 (BRIGGS) An Act amending Title 44 (Law and Justice) of the Pennsylvania Consolidated Statutes, providing for protection of personal data of certain public servants; imposing duties on data brokers regarding personal data; and providing for civil and criminal enforcement.

A01889 (Briggs)

House Bill 1934 (BRIGGS/KAUFFMAN) An Act amending the act of October 15, 1980 (P.L.950, No.164), known as the Commonwealth Attorneys Act, in general provisions, further providing for definitions.

Senate Bill 65 (BAKER) An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in licensing of drivers, further providing for schedule of convictions and points; in rules of the road in general, further providing for meeting or overtaking school bus; and imposing penalties.

House Bill 608 (ISAACSON) An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in riot, disorderly conduct and related offenses, further providing for the offense of cruelty to animal.

House Bill 879 (ISAACSON) An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in riot, disorderly conduct and related offenses, providing for concurrent jurisdiction to prosecute.

House Bill 1716 (HANBIDGE) An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in riot, disorderly conduct and related offenses, further providing for the offense of animal mutilation and related offenses.

A01827 (Briggs)

House Bill 1932 (KLUNK/SHUSTERMAN) An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in sexual offenses, repealing provisions relating to the offense of sexual intercourse with animal; and, in riot, disorderly conduct and related offenses, further providing for definitions and for the offense of aggravated cruelty to animal, providing for the offense of sexual crimes against animals and further providing for exemption of normal agricultural operations.

House Bill 1933 (SAPPEY) An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in riot, disorderly conduct and related offenses, providing for persons required to report suspected aggravated cruelty to animal.

A01893 (Briggs)

House Bill 1938 (SHUSTERMAN/KLUNK) An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in riot, disorderly conduct and related offenses, further providing for the offense of aggravated cruelty to animal.

And any other business that comes before the Committee

Adjournment

Attachments:

- HB1604
- A01901 to HB1604
- HB1604 BA
- HB1822
- A01889 to HB1822
- HB1822 BA
- HB1934
- HB1934 BA
- SB65
- SB65 BA
- HB608
- HB608 BA
- HB879
- HB879 BA
- HB1716
- A01827 to HB1716
- HB1716 BA
- HB1932
- HB1932 BA
- HB1933
- A01893 to HB1933
- HB1933 BA
- HB1938
- HB1938 BA

HOUSE BILL

No. 1604 Session of 2025

INTRODUCED BY DELLOSO, CARROLL, HILL-EVANS, SANCHEZ, NEILSON, D. WILLIAMS, O'MARA, STEELE AND CURRY, JUNE 13, 2025

REFERRED TO COMMITTEE ON JUDICIARY, JUNE 16, 2025

- AN ACT Amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, in employees, providing for mandatory firearms training for certain officers. 3 4 The General Assembly of the Commonwealth of Pennsylvania 5 hereby enacts as follows: 6 Section 1. Title 53 of the Pennsylvania Consolidated 7 Statutes is amended by adding a section to read: § 2173. Mandatory firearms training for certain officers. 8 9 (a) Requirement. -- An officer shall attend and complete
- 10 mandatory in-service firearms training courses conducted by a
- 11 <u>certified law enforcement firearms instructor at least four</u>
- 12 <u>times each year.</u>
- 13 <u>(b) Documentation.--</u>
- 14 (1) A certified law enforcement firearms instructor and
- 15 <u>a law enforcement agency's chief officer must produce and</u>
- 16 maintain a record of any in-service firearms training courses
- an officer completes, including the number of rounds fired,
- 18 the officer's scores and the firearms used in training.

- 1 (2) The record shall be documented in the commission's
- 2 <u>training and certification system within 30 days of the end</u>
- 3 <u>of each calendar year, including an officer's primary duty</u>
- 4 <u>weapon qualification to maintain certification as an officer.</u>
- 5 (c) Penalty. -- An officer who fails to complete the training
- 6 required under this section shall be placed by the law
- 7 enforcement agency on administrative leave until the training is
- 8 <u>completed.</u>
- 9 (d) Definitions. -- As used in this section, the following
- 10 words and phrases shall have the meanings given to them in this
- 11 <u>subsection unless the context clearly indicates otherwise:</u>
- 12 <u>"Certified law enforcement firearms instructor." A firearms</u>
- 13 <u>instructor authorized by the commission to conduct firearms</u>
- 14 training to a police officer within this Commonwealth.
- 15 "Law enforcement agency." A public agency of a municipality
- 16 or county having general police powers and charged with making
- 17 arrests in connection with the enforcement of criminal or
- 18 traffic laws.
- 19 "Officer." A police officer employed by a law enforcement
- 20 agency in a county of the second class A with a population
- 21 between 565,000 and 600,000 according to the 2020 Federal
- 22 <u>decennial census</u>.
- 23 Section 2. This act shall take effect immediately.

LEGISLATIVE REFERENCE BUREAU

AMENDMENTS TO HOUSE BILL NO. 1604

Sponsor: Briggs

Printer's No. 1920

1 Amend Bill, page 1, line 9, by striking out "Requirement. -- An 2 officer" and inserting 3 Requirement. --4 (1) An officer in a law enforcement agency 5 Amend Bill, page 1, by inserting between lines 12 and 13 6 (2) The firearms training under paragraph (1) shall 7 include virtual or physical simulation trainings which are designed to provide opportunities for skill development in 8 live action situations to prepare officers for active events 9 10 that may require the use of force. (b) Simulation training. -- The commission shall make 11 available simulation training, conducted by a certified law 12 enforcement firearms instructor, for use by a law enforcement 13 agency at least two times per year, subject to the availability 14 of facilities capable of providing simulation training. 15 16 Amend Bill, page 1, line 13, by striking out "(b)" and inserting 17 18 (C) Amend Bill, page 2, line 5, by striking out "(c)" and 19 20 inserting 21 (d) 22 Amend Bill, page 2, line 9, by striking out "(d)" and 23 inserting 24 $\underline{}$ (e) 25 Amend Bill, page 2, line 16, by striking out "or county" Amend Bill, page 2, lines 20 through 22, by striking out "_in_ 26 a county of the second class A with a population" in line 20, 27

- 1 all of line 21 and "decennial census" in line 22
- Amend Bill, page 2, by inserting between lines 22 and 23 2
- "Simulation training." A physical or virtual training 3
- 4 <u>simulator designed to provide realistic and immersive training</u>
- 5 scenarios for officers, including allowing for the ability to
- 6 <u>create custom scenarios using real-world data.</u>

Bill No: HB1604 PN1920 Prepared By: Michelle Batt, Esq.

Committee: Judiciary (717) 705-1880,6792

Sponsor: Delloso, David Executive Director: David Vitale, Esq.

Date: 8/21/2025

A. Brief Concept

Requires quarterly firearms training for law enforcement officers in a county of the secondclass A with a population between 565,000 and 600,000.

C. Analysis of the Bill

Amends Title 53, Chapter 21 (Employees) Subchapter D (Municipal police education and training) to add Section 2173 (Mandatory firearms training for certain officers), requiring law enforcement officers in a county of the second class A with a population between 565,000 and 600,000 to attend and complete mandatory in-service firearms training courses conducted by a certified law enforcement firearms instructor at least four times each year.

A certified law enforcement firearms instructor and a law enforcement agency's chief officer must produce and maintain a record of any in-service firearms training courses an officer completes. To maintain certification as an officer, the record shall be documented in the commission's training and certification system within 30 days of the end of each calendar year.

An officer who fails to complete the training required under this section shall be placed by the law enforcement agency on administrative leave until the training is completed.

A "Certified law enforcement firearms instructor" is defined as: A firearms instructor authorized by the commission to conduct firearms training to a police officer within this Commonwealth.

A "Law enforcement agency" is defined as: A public agency of a municipality or county having general police powers and charged with making arrests in connection with the enforcement of criminal or traffic laws.

Effective Date:

Immediately.

G. Relevant Existing Laws

37 Pa. Code, Chapter 203 (Administration of the Program)

§ 203.1. Definitions.

In addition to the definitions contained in the act, the following words and terms, when used in this chapter, have the following meanings:

Act—53 Pa.C.S. Chapter 21, Subchapter D (relating to municipal police education and training).

Certification—The assignment of a certification number to a police officer evidencing successful completion of a mandatory basic training course or receipt of a waiver of basic training from the Commission and successful completion of mandatory in-service training.

Certified police officer—A police officer who is authorized to enforce 18 Pa.C.S. (relating to the Crimes Code), moving violations of 75 Pa.C.S. (relating to the Vehicle Code), and carry a firearm.

Chairperson of the Commission—The Commissioner of the State Police.

Commission—The Municipal Police Officers Education and Training Commission.

Conviction—An adjudication of guilt including the imposition of a sentence.

Disqualifying criminal offense—A criminal offense for which more than 1 year in prison can be imposed as punishment.

Executive Director—The Commission elected head of staff responsible for administration. See section 5(10) of the act (53 P. S. § 744(10)).

Program—The Municipal Police Officers' Education and Training Program.

School—A training school or academy which provides a basic police training course. The term includes an organization which provides such a course within the functional organization of a police department or any educational entity within this Commonwealth which provides such a course at its base facility and at other locations approved by the Commission. Each separate geographical location shall be considered a school.

§ 203,52, Mandatory in-service training courses.

- (a) Mandatory in-service training is required of all police officers.
- (b) Mandatory in-service training shall consist of continuous in-service requirements and academic in-service requirements.
 - (1) Continuous in-service requirements shall consist of the following:
- (i) Annual qualification on a police firearms course with any firearms, shotguns, or rifles authorized for use, including personal weapons carried in lieu of issued weapons or as a second weapon. A weapon may not be carried on duty for which an officer is not qualified.
- (ii) Maintenance of a first aid and CPR certification issued by the American Red Cross, the American Heart Association, the Department of Health or other agency approved by the Department of Health.

E. Prior Session (Previous Bill Numbers & House/Senate Votes)

SB 1212 of 2024 (A. Williams and Kane) was referred to the Senate Law and Justice Committee on May 28, 2024 and received no consideration.

18

906. Construction.

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1822 Session of 2025

INTRODUCED BY BRIGGS, McNEILL, HILL-EVANS, OTTEN, HOWARD, SANCHEZ, BOROWSKI, MAYES, GALLAGHER, D. WILLIAMS, SHUSTERMAN, BOYD, NEILSON, CURRY AND GREEN, AUGUST 26, 2025

AS AMENDED, COMMITTEE ON JUDICIARY, HOUSE OF REPRESENTATIVES, SEPTEMBER 22, 2025

AN ACT

Amending Title 44 (Law and Justice) of the Pennsylvania Consolidated Statutes, providing for protection of personal 2 data of certain public servants; imposing duties on data brokers regarding personal data; and providing for civil and criminal enforcement. 5 6 The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows: 8 Section 1. Title 44 of the Pennsylvania Consolidated Statutes is amended by adding a chapter to read: 10 CHAPTER 9 11 PUBLIC SERVANT DATA PRIVACY 12 Sec. 13 901. Scope of chapter. 902. Findings and declarations. 14 15 903. Definitions. 16 904. Nondisclosure of protected information. 17 905. Enforcement.

- 1 § 901. Scope of chapter.
- 2 This chapter provides for public servant data privacy.
- 3 § 902. Findings and declarations.
- 4 The General Assembly finds and declares as follows:
- 5 (1) Judges, lawmakers and other elected and appointed
- 6 <u>public servants and their staff play an essential role in the</u>
- 7 <u>free and fair functioning of our government. While the nature</u>
- 8 <u>of their official duties will undoubtedly draw occasional</u>
- 9 <u>disapproval and criticism from members of the public, our</u>
- 10 public servants and their families have experienced sharp
- increases in recent years in the volume and severity of
- 12 <u>intimidating abuse, threats and violent attacks, including</u>
- 13 <u>attempted assassinations, some of which have been perpetrated</u>
- by malefactors obtaining the home addresses or other unlisted
- 15 <u>contact information of their targets.</u>
- 16 (2) These threats and attacks create a chilling effect
- 17 <u>and constrain how freely our officials interact with the</u>
- 18 <u>public</u>, narrows the spectrum of positions they feel safe to
- 19 <u>take or support and make them less willing to continue in</u>
- 20 <u>public service. This persistent and severe problem is an</u>
- 21 <u>affront to the effective functioning of our government and</u>
- 22 <u>the rule of law.</u>
- 23 (3) Violence against and intimidation of our public
- 24 <u>servants and their families is made easier by data brokers</u>
- disseminating private information, enabling assailants to
- 26 <u>easily compile dossiers on the public officials the</u>
- 27 <u>assailants target.</u>
- 28 (4) Having personal information easily accessible at the
- 29 click of a button provides negligible value to the public and
- 30 poses grave danger to our public officials and their

- 1 <u>families.</u>
- 2 (5) This chapter is implemented to foster the ability of
- 3 these public servants who perform critical governmental roles
- 4 <u>to carry out their official duties without fear of personal</u>
- 5 <u>reprisal.</u>
- 6 § 903. Definitions.
- 7 The following words and phrases when used in this chapter
- 8 shall have the meanings given to them in this section unless the
- 9 context clearly indicates otherwise:
- 10 "Assignee." A person or entity to whom a person's right to
- 11 bring a civil action for a violation of section 904 (relating to
- 12 <u>nondisclosure of protected information</u>) has been assigned, in
- 13 writing, by the covered person or their authorized agent.
- 14 <u>"Associated person."</u> The following:
- 15 (1) An individual connected to a principal person by one
- of the following relationships:
- (i) A parent, spouse, child or grandchild of a
- 18 <u>principal person.</u>
- 19 (ii) A person sharing custody of a minor child with
- 20 <u>a principal person.</u>
- 21 (iii) A person sharing a primary residence with a
- 22 <u>principal person.</u>
- 23 (2) An individual whose main job duties and
- 24 <u>responsibilities include providing direct support to a</u>
- 25 principal person in fulfilling the principal person's
- obligations to the public.
- 27 "Authorized agent." Any of the following persons or entities
- 28 authorized to submit or revoke a request for nondisclosure of
- 29 protected information on behalf of a covered person and to
- 30 engage in communications and enforcement:

- 1 (1) A designated trustee or other agent acting under a
- 2 written power of attorney or other legal instrument on behalf
- 3 of any covered person who is physically or mentally
- 4 <u>incapacitated.</u>
- 5 (2) A parent or legal guardian on behalf of any child,
- 6 who is a minor, who is otherwise entitled to nondisclosure
- 7 <u>under this act.</u>
- 8 (3) A person or entity that has been appointed under a
- 9 <u>written power of attorney by a covered person to act on their</u>
- 10 <u>behalf with respect to this chapter.</u>
- 11 (4) An agent acting on behalf of a Federal judge, a
- 12 <u>designee of the United States Marshals Service or the clerk</u>
- of any United States District Court.
- "Covered person." A principal person or associated person.
- 15 "Data broker." A person or entity that discloses the
- 16 protected information of an individual to a third party. The
- 17 term does not include a governmental agency or its
- 18 representatives acting in an official capacity.
- 19 "Disclose." To solicit, sell, manufacture, give, provide,
- 20 <u>lend, trade, mail, deliver, transfer, post, publish, distribute,</u>
- 21 circulate, disseminate, present, exhibit, advertise, offer or
- 22 include within a searchable list or database, regardless of
- 23 whether any other person or entity has actually searched the
- 24 <u>list or database for the person's information.</u>
- 25 "Home address." A dwelling location at which an individual
- 26 resides and includes the physical address, mailing address,
- 27 street address, parcel identification number, plot
- 28 <u>identification number</u>, <u>legal property description</u>, <u>neighborhood</u>
- 29 name and lot number, GPS coordinates and any other descriptive
- 30 property information that may reveal the home address.

- 1 <u>"Home telephone number." A telephone number used primarily</u>
- 2 for personal communications or associated with personal
- 3 communications devices, including a landline or cellular number.
- 4 <u>"Judge." Any judge, judicial officer or magisterial district</u>
- 5 judge, as defined in 42 Pa.C.S. § 102 (relating to definitions).
- 6 <u>"Principal person."</u> Any active, formerly active or retired:
- 7 <u>(1) judge;</u>
- 8 (2) public official as defined in 65 Pa.C.S. § 1102
- 9 <u>(relating to definitions); or</u>
- 10 (3) person who holds or previously held a Federal
- 11 position or a position in THIS COMMONWEALTH OR another state <--
- comparable to those identified in paragraph (1) or (2) and
- who has a home address in this Commonwealth.
- "Protected information." The term includes:
- 15 (1) A home address, including a primary residence or
- 16 <u>secondary residences</u>.
- 17 (2) A home telephone number.
- 18 <u>(3) A personal email address.</u>
- 19 (4) A Social Security number or driver's license number.
- 20 <u>(5) A license plate number or other unique identifiers</u>
- of a vehicle owned, leased or regularly used by the covered
- 22 <u>person</u>.
- 23 § 904. Nondisclosure of protected information.
- 24 (a) Prohibition. -- A covered person or their authorized agent
- 25 seeking to prohibit the disclosure by a data broker of protected
- 26 <u>information of the covered person shall provide written notice</u>
- 27 to the data broker referencing this act and requesting that the
- 28 data broker cease the disclosure of the covered person's
- 29 protected information, as described in the notice.
- 30 (b) Data brokers. -- Upon notification under subsection (a),

- 1 and not later than 10 business days following physical or
- 2 <u>electronic receipt of the notification</u>, a data broker shall not
- 3 disclose or redisclose or otherwise make available, including on
- 4 <u>a publicly accessible Internet website, the protected</u>
- 5 <u>information of the covered person.</u>
- 6 (c) Duration. -- The nondisclosure shall last for the
- 7 <u>following time frames:</u>
- 8 (1) A principal person shall receive coverage for life.
- 9 (2) An associated person shall receive coverage while
- 10 <u>connected to a principal person and for 10 years after the</u>
- 11 <u>connection</u>.
- 12 § 905. Enforcement.
- 13 (a) Civil liability. -- A data broker that violates section
- 14 904(b) (relating to nondisclosure of protected information)
- 15 shall be liable to the covered person, the covered person's
- 16 <u>authorized agent or the covered person's assignee, who may bring</u>
- 17 a civil action in the appropriate court of common pleas.
- (b) Criminal liability. -- In addition to civil liability, a
- 19 data broker that violates section 904 recklessly or
- 20 <u>intentionally is subject to criminal prosecution as follows:</u>
- 21 (1) A reckless violation of section 904 shall be a
- 22 <u>misdemeanor of the third degree.</u>
- 23 (2) An intentional violation of section 904 shall be a
- 24 misdemeanor of the second degree.
- 25 (c) Time limits.--
- 26 (1) A civil action under this section must be commenced
- 27 <u>within the following periods of limitation:</u>
- (i) four years from the date the violation occurred;
- 29 or
- 30 (ii) for a continuing violation, within four years

Τ	<u>irom the last date the violation occurred.</u>
2	(2) A criminal prosecution under this section must be
3	commenced within the following periods of limitation:
4	(i) two years from the date the violation occurred;
5	<u>or</u>
6	(ii) for a continuing violation, within two years
7	from the last date the violation occurred.
8	(d) Proceedings Proceedings shall be in accordance with
9	the following:
10	(1) In a civil judicial proceeding under this chapter,
11	the standard of fault shall be ordinary negligence.
12	(2) In a civil or criminal judicial proceeding under
13	this chapter, it shall not be a defense to liability in the
14	proceeding that the protected information is or was available
15	to the public from other sources or available by inspection
16	of public records.
17	(3) A party accessing a data broker's website or other
18	products or services, for the purpose of determining whether
19	the covered person's protected information is disclosed,
20	shall not, as a result of the access, be deemed to have
21	agreed on behalf of the covered person or the covered
22	person's authorized agent or assignee to any website terms
23	and conditions with respect to the covered person, associated
24	person or the covered person or associated person's
25	assignee's rights under this chapter.
26	(4) No prior verification of a covered person's status
27	shall be required for the notice under section 904 to be
28	effective. It shall be an affirmative defense to liability
29	that a person is not a covered person.
30	(e) Limitation A disclosure of protected information is

1	not a violation of this chapter if the disclosure is:
2	(1) made with the express authorization of the covered
3	person or their authorized agent, contingent upon the
4	authorization being provided subsequent to the relevant
5	nondisclosure request described in section 904; or
6	(2) for the sole purpose of facilitating a transaction
7	initiated by the covered person or their authorized agent.
8	(f) Relief In a civil action, for violations of section
9	904, the court shall award:
10	(1) The greater of actual damages or liquidated damages
11	computed at the rate of \$1,000 for each violation of section
12	<u>904.</u>
13	(2) Punitive damages upon proof of willful or reckless
14	disregard of the law.
15	(3) Reasonable attorney fees and other litigation costs
16	reasonably incurred.
17	(4) Any other preliminary and equitable relief as the
18	court determines to be appropriate.
19	§ 906. Construction.
20	(a) Liberally construed This chapter shall be liberally
21	construed in order to accomplish its purpose.
22	(b) Limitation Nothing in this chapter shall preclude any
23	of the following:
24	(1) A covered person from complying with all required
25	disclosure and filing requirements if the covered person is a
26	candidate for public OP DARTY office

- 27 (2) An individual from challenging the residency of a
- covered person if the covered person is a candidate for 28
- 29 public OR PARTY office.
- Section 2. This act shall take effect immediately. 30

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LEGISLATIVE REFERENCE BUREAU

AMENDMENTS TO HOUSE BILL NO. 1822

Sponsor: Briggs

Printer's No. 2332

Amend Bill, page 1, lines 4 and 5, by striking out "and 1 criminal" 2 Amend Bill, page 6, line 1, by striking out "10" and 3 inserting 4 5 20 6 Amend Bill, page 6, lines 18 through 30; page 7, lines 1 7 through 7; by striking out all of said lines on said pages and 8 inserting 9 (b) Time limits. -- A civil action under this section must be 10 commenced within the following periods of limitation: (1) four years from the date the violation occurred; or 11 (2) for a continuing violation, within four years from 12 the last date the violation occurred. 13 Amend Bill, page 7, line 8, by striking out "(d)" and 14 15 inserting 16 (C) Amend Bill, page 7, lines 10 through 16, by striking out all 17 of said lines and inserting 18 19 (1) In a civil judicial proceeding under this chapter: (i) the standard of fault shall be ordinary 20 21 negligence; and (ii) it shall not be a defense to liability in the 22 proceeding that the protected information is or was 23 available to the public from other sources or available 24 25 by inspection of public records. 26 Amend Bill, page 7, line 17, by striking out "(3)" and

inserting

27

- 1 (2)
- Amend Bill, page 7, line 26, by striking out "(4)" and 2
- inserting
- (3) 4
- Amend Bill, page 7, line 30, by striking out " $\underline{\text{(e)}}$ " and 5
- inserting 6
- <u>(d)</u> 7
- Amend Bill, page 8, line 8, by striking out "(f)" and 8
- inserting 9
- <u>(e)</u> 10

Bill No: HB1822 PN2332 Prepared By: Michelle Batt, Esq.

Committee: Judiciary (717) 705-1880,6792

Sponsor: Briggs, Tim Executive Director: David Vitale, Esq.

Date: 9/30/2025

A. Brief Concept

Protecting the personal data of certain public servants, their staff and families from disclosure by private data brokers.

C. Analysis of the Bill

Amending Title 44 by adding Chapter 9 (Public Servant Data Privacy) to protect the personal data of certain public servants and their families from disclosure by private data brokers and provide for civil and criminal enforcement.

<u>Eligibility</u>: A person eligible for nondisclosure under this act ("Covered person") is any "Principal person" or "Associated person" (see Definitions below).

<u>Procedure</u>: An individual seeking nondisclosure under this act provides (either personally or through an authorized agent) written notice to the data broker referencing this act and requesting that the data broker cease the disclosure of the covered person's protected information. The data broker then has 10 business days following notification, to cease disclosing or otherwise making available the protected information of the covered person. No prior verification of a covered person's status shall be required for the notice to be effective.

<u>Duration</u>: A principal person is eligible for nondisclosure for life. An associated person is eligible while connected to a principal person and for 10 years following any severance of the connection.

<u>Civil and Criminal Enforcement</u>: A data broker that fails to take action within 10 days after receiving notification shall be liable to the covered person, the covered person's authorized agent or the covered person's assignee civilly and criminally. A reckless violation is a misdemeanor of the third degree. An intentional violation is a misdemeanor of the second degree.

· Statute of Limitations:

- A civil action must be initiated within four years from the date the violation occurred or, for a continuing violation, within four years from the last date the violation occurred.
- A criminal action must be initiated within two years from the date the violation occurred or, for a continuing violation, within two years from the last date the violation occurred.

· Proceedings:

- In a civil judicial proceeding the standard of fault shall be ordinary negligence.
- In a civil or criminal proceeding it shall not be a defense to liability in the proceeding that the protected information is or was available to the public from other sources or available by inspection of public records.
- A party accessing a data broker's website or other products or services, for the
 purpose of determining whether the covered person's protected information is
 disclosed, shall not, as a result of the access, be deemed to have agreed on behalf
 of the covered person or the covered person's authorized agent or assignee to any
 website terms and conditions with respect to the covered person, associated person
 or the covered person or associated person's assignee's rights under this chapter.

- It shall be an affirmative defense to liability that a person is not a covered person.
- Civil Relief: for violations of this act, the court shall award:
 - The greater of actual damages or liquidated damages computed at the rate of \$1,000 for each violation.
 - Punitive damages upon proof of willful or reckless disregard of the law.
 - Reasonable attorney fees and other litigation costs reasonably incurred.
 - Any other preliminary and equitable relief as the court determines to be appropriate.

<u>Limitations</u>: A disclosure of protected information is not a violation of this chapter if:

- the disclosure is made with the express authorization of the covered person or their authorized agent, contingent upon the authorization being provided subsequent to the relevant nondisclosure request, or
- the disclosure is made for the sole purpose of facilitating a transaction initiated by the covered person or their authorized agent

Further, nothing in this chapter shall preclude any of the following:

- A covered person from complying with all required disclosure and filing requirements if the covered person is a candidate for public or party office.
- An individual from challenging the residency of a covered person if the covered person is a candidate for public or party office.

Definitions:

"Assignee." A person or entity to whom a person's right to bring a civil action for a violation of section 904 (relating to nondisclosure of protected information) has been assigned, in writing, by the covered person or their authorized agent.

"Associated person." The following:

- (1) An individual connected to a principal person by one of the following relationships:
 - (i) A parent, spouse, child or grandchild of a principal person.
 - (ii) A person sharing custody of a minor child with a principal person.
 - (iii) A person sharing a primary residence with a principal person.
- (2) An individual whose main job duties and responsibilities include providing direct support to a principal person in fulfilling the principal person's obligations to the public.

"Authorized agent." Any of the following persons or entities authorized to submit or revoke a request for nondisclosure of protected information on behalf of a covered person and to engage in communications and enforcement:

- (1) A designated trustee or other agent acting under a written power of attorney or other legal instrument on behalf of any covered person who is physically or mentally incapacitated.
- (2) A parent or legal guardian on behalf of any child, who is a minor, who is otherwise entitled to nondisclosure under this act.
- (3) A person or entity that has been appointed under a written power of attorney by a covered person to act on their behalf with respect to this chapter.

(4) An agent acting on behalf of a Federal judge, a designee of the United States Marshals Service or the clerk of any United States District Court.

"Covered person." A principal person or associated person

"Data broker." A person or entity that discloses the protected information of an individual to a third party. The term does not include a governmental agency or its representatives acting in an official capacity.

"Disclose." To solicit, sell, manufacture, give, provide, lend, trade, mail, deliver, transfer, post, publish, distribute, circulate, disseminate, present, exhibit, advertise, offer or include within a searchable list or database, regardless of whether any other person or entity has actually searched the list or database for the person's information.

"Home address." A dwelling location at which an individual resides and includes the physical address, mailing address, street address, parcel identification number, plot identification number, legal property description, neighborhood name and lot number, GPS coordinates and any other descriptive property information that may reveal the home address.

"Home telephone number." A telephone number used primarily for personal communications or associated with personal communications devices, including a landline or cellular number.

"Judge." Any judge, judicial officer or magisterial district judge, as defined in 42 Pa.C.S. § 102 (relating to definitions).

"Principal person." Any active, formerly active or retired:

- (1) judge;
- (2) public official as defined in 65 Pa.C.S. § 1102 (relating to definitions); or
- (3) person who holds or previously held a Federal position or a position in this Commonwealth or another state comparable to those identified in paragraph (1) or (2) and who has a home address in this Commonwealth.

"Protected information." The term includes:

- (1) A home address, including a primary residence or secondary residences.
- (2) A home telephone number.
- (3) A personal email address.
- (4) A Social Security number or driver's license number.
- (5) A license plate number or other unique identifiers of a vehicle owned, leased or regularly used by the covered person.

Effective Date:

Immediately.

G. Relevant Existing Laws

Section 2719 (Endangerment of Public Safety Official) of the Crimes Code provides that a person commits an offense if the person intentionally or knowingly communicates or publishes the restricted personal information of a public safety official or a family or household member of a public safety official with:

• Reckless disregard that the restricted personal information will be used to threaten, intimidate or facilitate the commission of a crime against the public safety official or a family or household member of the public safety official; or

• The intent that the restricted personal information will be used to threaten, intimidate or facilitate the commission of a crime against the public safety official or a family or household member of the public safety official.

This offense is graded as a misdemeanor of the first degree (maximum possible penalty of 5 years of incarceration) unless the offense resulted in bodily injury to the public safety official, in which case the offense is graded as a felony of the second degree (maximum possible penalty of 10 years of incarceration).

As used in Section 2719, the term "public safety official" includes the following individuals:

- Police officer.
- Firefighter.
- County adult probation or parole officer.
- County juvenile probation or parole officer.
- An agent of the Pennsylvania Board of Probation and Parole.
- Sheriff.
- Deputy sheriff.
- Liquor control enforcement agent.
- Officer or employee of a correctional institution, county jail or prison, juvenile detention center.
- Judge of any court in the unified judicial system.
- An active or retired federal judge.
- The Attorney General.
- A deputy attorney general.
- A district attorney.
- An assistant district attorney.
- A public defender.
- An assistant public defender.
- A Federal law enforcement official.
- A State law enforcement official.
- A local law enforcement official.
- Any person employed to assist or who assists any Federal, State or local law enforcement official.
- Emergency medical services personnel.
- Parking enforcement officer.
- A magisterial district judge.
- A constable.
- A deputy constable.
- A psychiatric aide.
- A teaching staff member, a school board member or other employee, including a student employee, of any elementary or secondary publicly funded educational institution, any elementary or secondary private school licensed by the Department of Education or any elementary or secondary parochial school while acting in the scope of his or her employment or because of his or her employment relationship to the school.
- Governor.
- Lieutenant Governor.
- Auditor General.
- State Treasurer.
- Member of the General Assembly.
- An employee of the Department of Environmental Protection.
- An individual engaged in the private detective business.
- An employee or agent of a county children and youth social service agency or of the legal representative of such agency.
- A public utility employee or an employee of an electric cooperative.
- A wildlife conservation officer or deputy wildlife conservation officer of the Pennsylvania Game Commission.
- A waterways conservation officer or deputy waterways conservation officer of the Pennsylvania Fish and Boat Commission.
- A health care practitioner or technician.

Title 65 Section 1102

"Public official." Any person elected by the public or elected or appointed by a governmental body or an appointed official in the executive, legislative or judicial branch of this Commonwealth or any political subdivision thereof, provided that it shall not include members of advisory boards that have no authority to expend public funds other than reimbursement for personal expense or to otherwise exercise the power of the State or any political subdivision thereof.

E. Prior Session (Previous Bill Numbers & House/Senate Votes)

None.

HOUSE BILL

No. 1934 Session of 2025

INTRODUCED BY BRIGGS, KAUFFMAN, KINKEAD, SANCHEZ, HILL-EVANS AND HOHENSTEIN, OCTOBER 8, 2025

REFERRED TO COMMITTEE ON JUDICIARY, OCTOBER 8, 2025

AN ACT

Amending the act of October 15, 1980 (P.L.950, No.164), entitled "A supplement to the act of April 9, 1929 (P.L.177, No.175), 2 entitled 'An act providing for and reorganizing the conduct 3 of the executive and administrative work of the Commonwealth 4 by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, 6 including the boards of trustees of State Normal Schools, or 7 Teachers Colleges; abolishing, creating, reorganizing or 8 authorizing the reorganization of certain administrative 9 10 departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative 11 officers, and of the several administrative departments, 12 boards, commissions, and officers; fixing the salaries of the 13 Governor, Lieutenant Governor, and certain other executive 14 and administrative officers; providing for the appointment of 15 certain administrative officers, and of all deputies and 16 other assistants and employes in certain departments, boards, 17 and commissions; and prescribing the manner in which the 18 19 number and compensation of the deputies and all other assistants and employes of certain departments, boards and 20 21 commissions shall be determined, 'implementing the addition of section 4.1 to Article IV of the Constitution of 22 Pennsylvania; establishing the Office of Attorney General 23 elected by the citizens and setting forth powers and duties 24 of the Attorney General; creating an Office of General 25 Counsel and providing for legal services for Commonwealth 26 27 agencies; transferring, reorganizing or reconstituting certain boards, commissions and agencies; placing certain 28 duties upon the courts and district attorneys; repealing 29 certain acts and parts of acts and making appropriations," in 30 31 general provisions, further providing for definitions.

The General Assembly of the Commonwealth of Pennsylvania

32

- 1 hereby enacts as follows:
- 2 Section 1. Section 102 of the act of October 15, 1980
- 3 (P.L.950, No.164), known as the Commonwealth Attorneys Act, is
- 4 amended by adding a definition to read:
- 5 Section 102. Definitions.
- 6 The following words and phrases when used in this act shall
- 7 have, unless the context clearly indicates otherwise, the
- 8 meanings given to them in this section:
- 9 * * *
- 10 "Right to access." The term does not include access for the
- 11 purpose of satisfying discovery requests propounded on the
- 12 Office of Attorney General in a civil action, unless the agency
- 13 <u>in question is a party to the action and is represented by the</u>
- 14 Office of Attorney General.
- 15 Section 2. This act shall take effect immediately.

(717) 705-1880,6792

Bill No: HB1934 PN2433 Prepared By: David Vitale, Esq.

Committee: Judiciary

Sponsor: Briggs and Kauffman **Executive Director:** David Vitale, Esq.

Date: 10/9/2025

A. Brief Concept

Amends the Commonwealth Attorneys Act to clarify the meaning of the Attorney General's "right to access" Commonwealth agency records.

C. Analysis of the Bill

Amends the Commonwealth Attorneys Act (CCA) by adding a definition for "right to access" to Section 102 (Definitions) of the CAA, clarifying who has access to state agency records.

This definition ensures that the right to access books and papers in Section 208 (Books and Papers) of the CAA does not include access for the purpose of satisfying discovery requests put forth by defendants in a civil action, unless the agency in question is an actual party to the action and is being represented by the OAG.

Effective Date:

Immediately.

G. Relevant Existing Laws

COMMONWEALTH ATTORNEYS ACT (Act 164 of 1980)

Section 208. Access to books and papers.

The Office of Attorney General shall have the right to access at all times to the books and papers of any Commonwealth agency necessary to carry out his duties under this act.

E. Prior Session (Previous Bill Numbers & House/Senate Votes)

None.

SENATE BILL

No. 65

Session of 2025

INTRODUCED BY BAKER, LANGERHOLC, LAUGHLIN, BROWN, COSTA, MILLER AND FARRY, JANUARY 22, 2025

SENATOR J. WARD, TRANSPORTATION, AS AMENDED, MARCH 26, 2025

AN ACT

- Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
 Statutes, in licensing of drivers, further providing for
 schedule of convictions and points; in rules of the road in
 general, further providing for meeting or overtaking school
 bus; and imposing penalties.

 The General Assembly of the Commonwealth of Pennsylvania
- 7 hereby enacts as follows:
- 8 Section 1. Sections 1535(a) and 3345(a) and (i) of Title 75 <--
- 9 of the Pennsylvania Consolidated Statutes are amended to read:
- 10 SECTION 1. SECTION 1535(A) OF TITLE 75 OF THE PENNSYLVANIA <--
- 11 CONSOLIDATED STATUTES IS AMENDED TO READ:
- 12 § 1535. Schedule of convictions and points.
- 13 (a) General rule. -- A point system for driver education and
- 14 control is hereby established which is related to other
- 15 provisions for use, suspension and revocation of the operating
- 16 privilege as specified under this title. Every driver licensed
- 17 in this Commonwealth who is convicted of any of the following
- 18 offenses shall be assessed points as of the date of violation in
- 19 accordance with the following schedule:

1	Section Number	Offense	Points
2	1512	Violation of restriction on	
3		driver's license.	2
4	1571	Violation concerning license.	3
5	3102	Failure to obey policeman or	
6		authorized person.	2
7	3111.1	Obedience to traffic-control	
8		devices warning of hazardous	
9		conditions.	2
10	3112(a)(3)(i)	Failure to stop for a red	
11	or (ii)	light.	3
12	3114(a)(1)	Failure to stop for a flashing	
13		red light.	3
14	3302	Failure to yield half of	
15		roadway to oncoming vehicle.	3
16	3303	Improper passing.	3
17	3304	Other improper passing.	3
18	3305	Other improper passing.	3
19	3306(a)(1)	Other improper passing.	4
20	3306(a)(2)	Other improper passing.	3
21	3306(a)(3)	Other improper passing.	3
22	3307	Other improper passing.	3
23	3310	Following too closely.	3
24	3321	Failure to yield to driver on	
25		the right at intersection.	3
26	3322	Failure to yield to oncoming	
27		driver when making left turn.	3
28	3323(b)	Failure to stop for stop sign.	3
29	3323(c)	Failure to yield at yield	
30		sign.	3

1	3324	Failure to yield when entering	
2		or crossing roadway between	
3		intersections.	3
4	3327(a) or	Duty of driver in emergency	
5	(a.1)	response area and in relation	
6		to disabled vehicles.	2
7	3332	Improper turning around.	3
8	3341(a)	Failure to obey signal	
9		indicating approach of train.	2
10	3341(b)	Failure to comply with	
11		crossing gate or barrier.	4
12		(and 30 days' suspension)	
13	3342(b) or (e)	Failure to stop at railroad	
14		crossings.	4
15	3344	Failure to stop when entering	
16		from alley, driveway or	
17		building.	3
18	3345(a)	Failure to stop for school bus	
19		with flashing red lights.	5
20		(and 60 days' suspension)	
21	<u>3345 (b)</u>	Failure to proceed past school	.
22		bus with caution and prepare	
23		to stop when amber signal	
24		lights are flashing.	<u>2</u>
25	<u>3345(f.1)</u>	Failure to stop for school bus	As provided
26		for transportation of disabled	<u>under</u>
27		persons.	<u>section</u>
28			<u>3345(a).</u>
29	3361	Driving too fast for	
30		conditions.	2

1	3362	Exceeding maximum speedOver		
2		Limit:		
3		6-10 2		
4		11 - 15 3		
5		16 - 25 4		
6		26 - 30 5		
7		31 - over 5		
8		(and departmental hearing		
9		and sanctions provided		
10		under section 1538(d))		
11	3365(b)	Exceeding special speed limit		
12		in school zone.	3	
13		(and 60 days' suspension		
14		for a second or subsequent		
15		offense)		
16	3365(c)	Exceeding special speed limit		
17		for trucks on downgrades.	3	
18	3542(a)	Failure to yield to pedestrian		
19		in crosswalk.	2	
20	3547	Failure to yield to pedestrian		
21		on sidewalk.	3	
22	3549(a)	Failure to yield to blind		
23		pedestrian.	3	
24	3702	Improper backing.	3	
25	3714(a)	Careless driving.	3	
26	3745	Leaving scene of accident		
27		involving property damage		
28		only.	4	
29	* * *			
30	SECTION 2. SECT	rion 3345(A) AND (J) OF TITLE 75 ARE	AMENDED	<

- 1 AND THE SECTION IS AMENDED BY ADDING SUBSECTIONS TO READ:
- 2 § 3345. Meeting or overtaking school bus.
- 3 (a) Duty of approaching driver when red signals are
- 4 flashing. -- Except as provided in subsection (q), the driver of a
- 5 vehicle meeting or overtaking any school bus stopped on a
- 6 highway or trafficway shall stop at least [ten] 15 feet before
- 7 reaching the school bus when the red signal lights on the school
- 8 bus are flashing and the side stop signal arms are activated
- 9 under section 4552(b.1) (relating to general requirements for
- 10 school buses). The driver shall not proceed until the flashing
- 11 red signal lights are no longer actuated. In no event shall a
- 12 driver of a vehicle resume motion of the vehicle until the
- 13 school children who may have alighted from the school bus have
- 14 reached a place of safety. The driver of a vehicle approaching
- 15 an intersection at which a school bus is stopped shall stop his
- 16 vehicle at that intersection until the flashing red signal
- 17 lights are no longer actuated.
- 18 * * *
- 19 (j) [Penalty] <u>Penalties.--</u>
- 20 <u>(1)</u> A person who violates subsection (a) or (f.1)
- 21 commits a summary offense and shall, upon conviction, be
- sentenced to pay a fine of <u>no less than</u> \$250 <u>and no more than</u>
- 23 <u>\$500</u> and a \$35 surcharge. <u>For a second or subsequent off</u>ense
- 24 <u>under this paragraph, the person commits a summary offense</u>
- and shall, upon conviction, be sentenced to pay a fine of no
- less than \$500 and a \$35 surcharge and attend a driver
- 27 <u>improvement school or undergo a special examination.</u> The
- 28 surcharge shall be deposited into the School Bus Safety Grant
- 29 Program Account.
- 30 (2) A person who violates subsection (b) commits a

- 1 <u>summary offense and shall, upon conviction, be sentenced to</u>
- 2 <u>pay a fine of no less than \$100 and a \$35 surcharge. For a </u>
- 3 <u>second or subsequent offense under this paragraph, the person</u>
- 4 <u>commits a summary offense and shall, upon conviction, be</u>
- 5 <u>sentenced to pay a fine of no less than \$250 and a \$35</u>
- 6 <u>surcharge and attend a driver improvement school or undergo a</u>
- 7 <u>special examination. The surcharge shall be deposited into</u>
- 8 <u>the School Bus Safety Grant Program Account.</u>
- 9 <u>(K) DRIVER EDUCATION.--THE DEPARTMENT SHALL INCLUDE AN</u>
- 10 EDUCATIONAL DOCUMENT ON THIS SECTION AND SECTION 3345.1 IN THE
- 11 RENEWAL NOTICE FOR A DRIVER'S LICENSE. AT A MINIMUM, THE
- 12 EDUCATIONAL DOCUMENT SHALL COVER A DRIVER'S DUTY WHEN
- 13 APPROACHING A SCHOOL BUS USING AMBER AND RED SIGNALS FOR THE
- 14 PURPOSE OF RECEIVING OR DISCHARGING SCHOOL CHILDREN AND
- 15 PENALTIES RELATED TO VIOLATING THIS SECTION OR SECTION 3345.1.
- 16 THE DEPARTMENT SHALL PROVIDE THE EDUCATIONAL DOCUMENT AND ANY
- 17 OTHER EDUCATIONAL INFORMATION FROM THE DEPARTMENT'S PUBLICLY
- 18 ACCESSIBLE INTERNET WEBSITE TO THE DEPARTMENT OF EDUCATION BY
- 19 JULY 31 OF EVERY YEAR AND THE DEPARTMENT OF EDUCATION SHALL DULY
- 20 NOTIFY ALL SCHOOL DISTRICTS IN THIS COMMONWEALTH OF THIS
- 21 EDUCATIONAL INFORMATION FOR PURPOSES UNDER SUBSECTION (L).
- 22 (L) OPTIONAL DRIVER EDUCATION. -- A SCHOOL DISTRICT MAY
- 23 PROVIDE EDUCATIONAL INFORMATION FROM THE DEPARTMENT, EITHER
- 24 WRITTEN, ELECTRONIC OR BOTH, ON THIS SECTION AND SECTION 3345.1,
- 25 IF APPLICABLE, PRIOR TO AND THROUGHOUT THE SCHOOL YEAR. AT A
- 26 MINIMUM, THE EDUCATIONAL INFORMATION SHALL COVER A DRIVER'S DUTY
- 27 WHEN APPROACHING A SCHOOL BUS USING AMBER AND RED SIGNALS FOR
- 28 THE PURPOSE OF RECEIVING OR DISCHARGING SCHOOL CHILDREN AND
- 29 PENALTIES RELATED TO VIOLATING THIS SECTION OR SECTION 3345.1,
- 30 IF APPLICABLE.

- 1 Section 2 3. This act shall take effect in 60 days. AS <--
- 2 FOLLOWS:
- 3 (1) THE ADDITION OF 75 PA.C.S. § 3345(K) AND (L) SHALL
- 4 TAKE EFFECT IN 60 DAYS.
- 5 (2) THIS SECTION SHALL TAKE EFFECT IMMEDIATELY.
- 6 (3) THE REMAINDER OF THIS ACT SHALL TAKE EFFECT IN ONE
- 7 YEAR.

Bill No: SB0065 PN0486 Prepared By: David Vitale, Esq.

Committee: Judiciary (717) 705-7011,6791

Sponsor: Baker Lisa Executive Director: David Vitale, Esq.

Sponsor: Baker, Lisa Executive Director: David Vita

Date: 10/9/2025

A. Brief Concept

Enhances school bus safety by increasing the range of penalties for violations, increases the stopping distance for a vehicle when approaching a stopped school bus, creates enhanced penalties for repeat violators and provides education to drivers for proper driving around slowing or stopped school buses.

C. Analysis of the Bill

Amends Title 75 to enhance the safe transportation of school children by establishing new traffic rules and strengthening penalties for overtaking a school bus.

Section 1535 (relating to schedule of convictions and points) is amended by adding a two-point assessment to an individual's driving record for failure to proceed past a school bus with caution and prepare to stop when **amber signal lights** are flashing and a five-point assessment and a 60-day suspension for failure to stop for a school bus transporting disabled persons.

Section 3345 (relating to meeting or overtaking school bus) is amended by extending the stopping distance requirement from 10 feet to 15 feet before reaching the school bus when the **red signal lights** on the school bus are flashing and the side stop signal arms are activated.

The legislation implements the following tiered penalty systems:

- 1. Overtaking a school bus with **flashing red lights (subsection a or f.1)**: Fine of no less than \$250 and no more than \$500 and a \$35 surcharge for a first offense and a fine of no less than \$500 and a \$35 surcharge for a second or subsequent offense and attend a driver improvement school or undergo a special examination.
- 2. Failure to proceed past school bus with caution when **flashing amber lights**: A fine of no less than \$100 and a \$35 surcharge and a fine of no less than \$250 and a \$35 surcharge for a second or subsequent offense and attend a driver improvement school or undergo a special examination.

Additionally, this section is amended by adding a new subsection 3345 (k) requiring the Department of Transportation to include an educational document on this section and section 3345.1 (relating to automated enforcement of failure to stop for school bus with flashing red lights) in the renewal notice for a driver's license.

The bill also allows for optional driver education to be distributed by school districts to be provided throughout the school year to cover a driver's duty when approaching a school bus using amber or red signals.

Effective Date:

The educational information sharing subsection takes effect in 60 days and the remainder of the bill takes effect in one year.

G. Relevant Existing Laws

Amends Title 75 § 1535 (Schedule of convictions and points) and § 3345 (Meeting or overtaking school bus).

E. Prior Session (Previous Bill Numbers & House/Senate Votes)

This bill was Senate Bill 897 of 2023-24, which passed the Senate (49-0) on 10/17/2023.

HOUSE BILL

No. 608

Session of 2025

INTRODUCED BY ISAACSON, BRENNAN, DEASY, FREEMAN, GREEN, HILL-EVANS, HOHENSTEIN, HOWARD, KENYATTA, McNEILL, SANCHEZ, SCHLOSSBERG AND STEELE, FEBRUARY 12, 2025

REFERRED TO COMMITTEE ON AGRICULTURE AND RURAL AFFAIRS, FEBRUARY 12, 2025

AN ACT

Amending Title 18 (Crimes and Offenses) of the Pennsylvania 1 Consolidated Statutes, in riot, disorderly conduct and 2 related offenses, further providing for the offense of cruelty to animal. 4 5 The General Assembly of the Commonwealth of Pennsylvania 6 hereby enacts as follows: 7 Section 1. Section 5533(b) of Title 18 of the Pennsylvania Consolidated Statutes is amended to read: 8 9 § 5533. Cruelty to animal. * * * 10 11 (b) Grading. --12 Except as [set forth in paragraph (2)] specified in paragraphs (2) and (3), a violation of this section is a 13 14 summary offense. 15 If the violation causes bodily injury to the animal 16 or places the animal at imminent risk of serious bodily injury, a violation of this section is a misdemeanor of the 17

18

second degree.

1	(3) If the violation causes bodily injury to the animal
2	due to the cropping, trimming or cutting off the whole or
3	part of the ear or ears of the animal by a person who is not
4	a licensed doctor of veterinary medicine or who is not acting
5	in accordance with section 5542(a) (relating to animal
6	mutilation and related offenses), a violation of this section
7	is as follows:
8	(i) A misdemeanor of the second degree for the first
9	violation.
10	(ii) A misdemeanor of the first degree for a second
11	or subsequent violation.
12	Section 2. This act shall take effect in 60 days.

Bill No: HB0608 PN0616 Prepared By: David Vitale, Esq.

Committee: Judiciary (717) 705-7011, 6791

Sponsor: Isaacson, Mary Executive Director: David Vitale, Esq.

Date: 8/25/2025

A. Brief Concept

Increases the penalty for non-veterinarians causing bodily injury to a dog by cropping its ears from a summary offense to a misdemeanor.

C. Analysis of the Bill

Amends Section 5533(b) (Cruelty to animal) to increase the grading for causing bodily injury to an animal due to the cropping, trimming or cutting off the whole or part of the ear or ears of the animal by a person who is not a licensed doctor of veterinary medicine or who is not acting in accordance with section 5542(a) (relating to animal mutilation and related offenses) from a summary offense to a misdemeanor of the second degree for a first offense, and misdemeanor of the first degree for second or subsequent offenses.

Effective Date:

60 Days.

G. Relevant Existing Laws

18 Pa.C.S. § 5533. Cruelty to animal.

- (a) Offense defined.--A person commits an offense if the person intentionally, knowingly or recklessly illtreats, overloads, beats, abandons or abuses an animal.
- (b) Grading .--
 - (1) Except as set forth in paragraph (2), a violation of this section is a summary offense.
 - (2) If the violation causes bodily injury to the animal or places the animal at imminent risk of serious bodily injury, a violation of this section is a misdemeanor of the second degree.

18 Pa.C.S. § 5542(a) Animal mutilation and related offenses.

- (a) Cropping of ear.--The following apply:
 - (1) A person commits an offense under section 5533 (relating to cruelty to animal) if the person crops, trims or cuts off, or causes or procures to be cropped, trimmed or cut off, the whole or part of the ear or ears of a dog.
 - (2) The provisions of this subchapter shall not prevent a licensed doctor of veterinary medicine from cropping, trimming or cutting off the whole or part of the ear or ears of a dog when the dog is anesthetized and shall not prevent a person from causing or procuring the cropping, trimming or cutting off of a dog's ear or ears by a licensed doctor of veterinary medicine.

- (3) The possession by a person of a dog with an ear or ears cropped, trimmed or cut off and with the wound or incision site resulting therefrom unhealed, or any such dog being found in the charge or custody of any person or confined upon the premises owned by or under the control of any person, shall be prima facie evidence of a violation by the person, except as provided for in this subsection.
- (4) A person who procures the cropping, trimming or cutting off of the whole or part of an ear or ears of a dog shall record the procedure. The record shall include the name of the attending licensed doctor of veterinary medicine and the date and location at which the procedure was performed. The record shall be kept as long as the wound or incision site is unhealed and shall be transferred with the dog during that period of time.

E. Prior Session (Previous Bill Numbers & House/Senate Votes)

HB 222 of 2023 was referred to the House Judiciary Committee and saw no movement HB 506 of 2021 was referred to the House Judiciary Committee and saw no movement

HOUSE BILL

No. 879

Session of 2025

INTRODUCED BY ISAACSON, BRENNAN, BURGOS, CERRATO, CIRESI, CONKLIN, DALEY, DEASY, GALLAGHER, GIRAL, GREEN, HILL-EVANS, HOHENSTEIN, HOWARD, McNEILL, PROBST, SANCHEZ, SCHLOSSBERG AND STEELE, MARCH 11, 2025

REFERRED TO COMMITTEE ON JUDICIARY, MARCH 11, 2025

AN ACT

1 2 3 4	Amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in riot, disorderly conduct and related offenses, providing for concurrent jurisdiction to prosecute.
5	The General Assembly of the Commonwealth of Pennsylvania
6	hereby enacts as follows:
7	Section 1. Title 18 of the Pennsylvania Consolidated
8	Statutes is amended by adding a section to read:
9	§ 5562. Concurrent jurisdiction to prosecute.
10	(a) Jurisdiction
11	(1) In addition to the authority conferred upon the
12	Attorney General by the act of October 15, 1980 (P.L.950,
13	No.164), known as the Commonwealth Attorneys Act, and in
14	accordance with paragraphs (2) and (3), the Attorney General
15	shall have the authority to investigate and institute
16	criminal proceedings for a felony offense under this
17	subchapter.
18	(2) The Attorney General may submit a written request to

- 1 <u>prosecute a felony offense under this subchapter in a</u>
- 2 <u>criminal court or juvenile delinquency court. The request</u>
- 3 <u>must be submitted to the district attorney with jurisdiction</u>
- 4 <u>over the prosecution of the felony offense.</u>
- 5 (3) If the district attorney with jurisdiction over the
- 6 prosecution of the felony offense fails to respond within 90
- 7 <u>days to the request made under paragraph (2), the Attorney</u>
- 8 <u>General shall send a subsequent written request by certified</u>
- 9 or registered mail, and, if the district attorney fails to
- 10 <u>respond to the subsequent request within 10 days of the date</u>
- of the subsequent request, the request shall be deemed
- 12 <u>approved</u>.
- 13 (b) District attorney. -- A district attorney with
- 14 jurisdiction over the prosecution of the felony offense may
- 15 request the Attorney General to investigate and institute
- 16 <u>criminal proceedings in a felony case under this subchapter.</u>
- 17 (c) Manual.--The Attorney General shall develop and maintain
- 18 a manual of best practices for the investigation and institution
- 19 of criminal proceedings under this subchapter that shall be made
- 20 <u>available on the Attorney General's publicly accessible Internet</u>
- 21 website.
- 22 Section 2. This act shall take effect in 60 days.

Bill No: HB0879 PN0919 Prepared By: David Vitale, Esq.

Committee: Judiciary

Sponsor: Isaacson, Mary Executive Director: David Vitale, Esq.

(717) 705-7011,6791

Date: 3/17/2025

A. Brief Concept

Provides the Office of Attorney General concurrent jurisdiction to investigate and prosecute felony violations of the Cruelty to Animals.

C. Analysis of the Bill

Amends Title 18 by adding § 5562, to provide concurrent jurisdiction to prosecute felony cruelty to animal violations between the Attorney General (AG) and a local District Attorney (DA).

In addition to the authority under the Commonwealth Attorneys Act, the AG shall have the authority to investigate and institute criminal proceedings for felony animal cruelty cases if the AG requests in writing to prosecute the case and the DA accepts the request in writing.

However, if the DA with jurisdiction over the prosecution fails to respond to a request within 90 days, the AG shall send a subsequent request by certified or registered mail; and if the DA does not respond within 10 days of the subsequent request, the request shall be deemed approved.

DAs may request the AG to investigate and institute criminal proceedings in a felony case under this subchapter, and the AG shall develop and maintain best practices for investigating and instituting criminal proceedings for felony animal cruelty cases.

Relevant felonies under subchapter B are the following:

- § 5534 (relating to aggravated cruelty to animal),
- § 5543 (relating to animal fighting),
- § 5548 (relating to police animals), and
- § 5549 (relating to assault with a biological agent on animal, fowl or honeybees).

Effective Date:

60 Days.

G. Relevant Existing Laws

Commonwealth Attorneys Act

Section 205. Criminal prosecutions.

(a) Prosecutions.--The Attorney General shall have the power to prosecute in any county criminal court the following cases: (1) Criminal charges against State officials or employees affecting the performance of their public duties or the maintenance of the public trust and criminal charges against persons attempting to influence such State officials or employees or benefit from such influence or attempt to influence.

- (2) Criminal charges involving corrupt organizations as provided for in 18 Pa.C.S. § 911 (relating to corrupt organizations).
- (3) Upon the request of a district attorney who lacks the resources to conduct an adequate investigation or the prosecution of the criminal case or matter or who represents that there is the potential for an actual or apparent conflict of interest on the part of the district attorney or his office.
- (4) The Attorney General may petition the court having jurisdiction over any criminal proceeding to permit the Attorney General to supersede the district attorney in order to prosecute a criminal action or to institute criminal proceedings. Upon the filing of the petition, the president judge shall request the Supreme Court to assign a judge to hear the matter. The judge assigned shall hear the matter within 30 days after appointment and make a determination as to whether to allow supersession within 60 days after the hearing. The district attorney shall be given notice of the hearing and may appear and oppose the granting of the petition. Supersession shall be ordered if the Attorney General establishes by a preponderance of the evidence that the district attorney has failed or refused to prosecute and such failure or refusal constitutes abuse of discretion. ((4) repealed in part Dec. 20, 1982, P.L.1409, No.326)
- (5) When the president judge in the district having jurisdiction of any criminal proceeding has reason to believe that the case is a proper one for the intervention of the Commonwealth, he shall request the Attorney General to represent the Commonwealth in the proceeding and to investigate charges and prosecute the defendant. If the Attorney General agrees that the case is a proper one for intervention, he shall file a petition with the court and proceed as provided in paragraph (4). If the Attorney General determines that the case is not a proper case for intervention, he shall notify the president judge accordingly.
- (6) Criminal charges investigated by and referred to him by a Commonwealth agency arising out of enforcement provisions of the statute charging the agency with a duty to enforce its provision.
- (7) Indictments returned by an investigating grand jury obtained by the Attorney General.
- (8) Criminal charges arising out of activities of the State Medicaid Fraud Control Unit as authorized by Article XIV (relating to fraud and abuse control), act of June 13, 1967 (P.L.31, No.21), known as the "Public Welfare Code," and the Federal law known as the "Medicare-Medicaid Antifraud and Abuse Amendments."
- (b) Concurrent jurisdiction to prosecute.--The Attorney General shall have the concurrent prosecutorial jurisdiction with the district attorney for cases arising under subsection (a)(1), (2) and (6) and may refer to the district attorney with his consent any violation or alleged violation of the criminal laws of the Commonwealth which may come to his notice.
- (c) Criminal appeals.--In any criminal action in which there is an appeal, the Attorney General may in his discretion, upon the request of the district attorney, prosecute the appeal; he may intervene in such other appeals as provided by law or rules of court.
- (d) Powers when prosecuting.--Whenever the Attorney General prosecutes a criminal action, or appeal, he may employ such special deputies as are necessary for that purpose; such deputies shall take the oath of office and be clothed with all the powers, and subject to all the liabilities imposed by law upon district attorneys, including the power to sign informations or indictments. Whenever the Attorney General intervenes in a criminal action, the costs incurred as a result of the intervention shall be paid by the Commonwealth.

Section 206. Law enforcement and criminal investigations; investigating grand juries.

(a) Law enforcement; criminal investigations.--The Attorney General shall be the chief law enforcement officer of the Commonwealth; the district attorney shall be the chief law enforcement officer for the county in which he is elected. The Attorney General shall have the power to investigate any criminal offense which he has the power to prosecute under section 205; he shall continue the existing programs relating to drug law enforcement. The Pennsylvania State Police shall cooperate with the Attorney General and furnish such services as the Attorney General shall request.

(b) Investigating grand juries.--The Attorney General shall convene and conduct investigating grand juries as provided in the act of November 22, 1978 (P.L.1148, No.271), known as the "Investigating Grand Jury Act."

E. Prior Session (Previous Bill Numbers & House/Senate Votes)

HB 607 of 2023 was referred to the House Judiciary Committee and received no consideration;

SB 758 of 2023 was referred to the Senate Judiciary Committee and received no consideration;

HB 687 of 2021 was referred to the House Judiciary Committee and received no consideration;

SB 438 of 2021 was referred to the Senate Judiciary Committee and received no consideration.

HOUSE BILL

1716 Session of

INTRODUCED BY HANBIDGE, MALAGARI, FIEDLER, HOHENSTEIN, HILL-EVANS, McNEILL, CERRATO, SANCHEZ, GIRAL, KHAN, SCHLOSSBERG, DALEY, BENHAM, STEELE, GUENST, SHUSTERMAN, BRENNAN, GILLEN, CIRESI AND GREEN, JULY 10, 2025

REFERRED TO COMMITTEE ON JUDICIARY, JULY 10, 2025

1

AN ACT

Amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in riot, disorderly conduct and 2 related offenses, further providing for the offense of animal mutilation and related offenses. 4 5 The General Assembly of the Commonwealth of Pennsylvania 6 hereby enacts as follows: 7 Section 1. Section 5542 of Title 18 of the Pennsylvania Consolidated Statutes is amended by adding a subsection to read: 8 9 § 5542. Animal mutilation and related offenses. * * * 10 11 (e.1) Declawing of cats.--(1) A person commits an offense under section 5533 if 12 the person performs an onychectomy, a declawing, partial 13 14 digital amputation, phalangectomy or tendonectomy procedure 15 by any means unless the procedure is deemed necessary for a 16 therapeutic purpose by a licensed doctor of veterinary medicine. The offense under this subsection shall include any 17 procedure to alter a cat's toes, claws or paws to prevent the 18

1	normal functioning of the cat's toes, claws or paws, but
2	shall not include the trimming of a nonviable claw husk or
3	placing a nonpermanent nail cap on a cat.
4	(2) Notwithstanding the provisions of paragraph (1), if
5	a licensed veterinarian determines that a phalangectomy
6	procedure is necessary for a therapeutic purpose, the
7	licensed veterinarian, on or before 10 business days after
8	performing the procedure, shall file a written statement with
9	the animal control agency with jurisdiction over the area in
10	which the procedure was performed stating the purpose for the
11	phalangectomy, onychectomy, partial digital amputation or
12	tendonectomy procedure, including a laboratory pathology
13	report confirming the pathology, identifying information of
14	the cat, including its microchip number if applicable, age,
15	gender, markings and a photo of the face and current address
16	and telephone number of the owner or keeper of the cat. The
17	licensed veterinarian shall provide a copy of the written
18	statement to the owner or keeper of the cat.
19	(3) As used in this subsection, the following words and
20	phrases shall have the meanings given to them in this
21	paragraph unless the context clearly indicates otherwise:
22	"Onychectomy." A procedure in which a portion of the paw
23	of a cat is amputated or removed or disables a claw,
24	including procedures commonly referred to as declawing.
25	"Partial digital amputation." A procedure for the
26	excision of some or all of one or more of the phalanges of
27	the paw of a cat.
28	"Phalangectomy." A procedure for the excision of one or
29	more of the phalanges of the paw of a cat.
30	"Tendonectomy." A procedure in which the tendons to the

- 1 limbs, paws or toes of a cat are cut or modified so that the
 2 cat's claws cannot function normally.
- 3 "Therapeutic purpose." A purpose necessary to address
- 4 the physical medical condition of the cat, such as an
- 5 <u>existing or recurring physical illness, infection, disease,</u>
- 6 <u>injury or abnormal condition in a claw that compromises the</u>
- 7 <u>cat's health. The term does not mean cosmetic or aesthetic</u>
- 8 <u>reasons or reasons of convenience in keeping or handling the</u>
- 9 <u>cat.</u>
- 10 * * *
- 11 Section 2. This act shall take effect in 60 days.

LEGISLATIVE REFERENCE BUREAU

AMENDMENTS TO HOUSE BILL NO. 1716

Sponsor: Briggs

Printer's No. 2112

- 1 Amend Bill, page 1, lines 1 through 18; page 2, lines 1 2 through 30; page 3, lines 1 through 11; by striking out all of said lines on said pages and inserting 3 Amending Title 18 (Crimes and Offenses) of the Pennsylvania 4 5 Consolidated Statutes, in riot, disorderly conduct and 6 related offenses, providing for the prohibition on declawing 7 cats. The General Assembly of the Commonwealth of Pennsylvania hereby 8 9 enacts as follows: Section 1. Title 18 of the Pennsylvania Consolidated 10 Statutes is amended by adding a section to read: 11 § 5533.1. Declawing of cats prohibited. 12 (a) Offense defined. -- It is unlawful for any person to 13 perform surgical claw removal, including an onychectomy, 14 15 declawing, partial digital amputation, phalangectomy or tendonectomy procedure, on any cat or otherwise alter a cat's 16 toes, claws or paws to prevent or impair the normal function of 17 18 the cat's toes, claws or paws, unless the procedure is deemed necessary for a therapeutic purpose by a licensed doctor of 19 20 veterinary medicine. 21 (b) Limitation. -- This offense shall not include the trimming 22 of a nonviable claw husk or placing of a nonpermanent nail cap 23 on a cat. (c) Prosecution and procedure. -- The prosecution of and 24 procedure for discipline for violations of this section shall be 25 in accordance with the act of December 27, 1974 (P.L.995, 26 No.326), known as the Veterinary Medicine Practice Act. 27 (d) Definitions. -- As used in this section, the following 28 29
 - words and phrases shall have the meanings given to them in this subsection unless the context clearly indicates otherwise:
- 31 "Onychectomy." A procedure in which a portion of the paw of a cat is amputated or removed or disables a claw, including 32 procedures commonly referred to as declawing. 33
- "Partial digital amputation." A procedure for the excision 34 35 of some or all of one or more of the phalanges of the paw of a 36 cat.
- 37 "Phalangectomy." A procedure for the excision of one or more

30

of the phalanges of the paw of a cat. "Tendonectomy." A procedure in which the tendons to the 2 limbs, paws or toes of a cat are cut or modified so that the 3 cat's claws cannot function normally. "Therapeutic purpose." A purpose necessary to address the 5 physical medical condition of the cat, such as an existing or recurring physical illness, infection, disease, injury or 7 abnormal condition in a claw, nail bed or toe bone, that 9 compromises the cat's health. The term shall not include a procedure performed for a cosmetic or aesthetic purpose or to 10 11 make the cat more convenient to keep or handle. Section 2. This act shall take effect in 60 days. 12

Bill No: HB1716 PN2112 Prepared By: David Vitale, Esq.

Committee: Judiciary (717) 705-1880,6078

Hanbidge, Liz, and; Malagari, **Executive Director:** David Vitale, Esq.

Sponsor:
Steven

Date: 7/17/2025

A. Brief Concept

Prohibits the declawing of cats unless the procedure is deemed necessary by a licensed Doctor of Veterinary Medicine.

C. Analysis of the Bill

Amends Section 5542 (Animal mutilation and related offenses) of Title 18 by creating a new subsection (e.1) (Declawing of cats). The offense includes any procedure to alter a cat's toes, claws or paws to prevent the normal functioning of the cat's toes, claws or paws, but shall not include the trimming of a nonviable claw husk or placing a nonpermanent nail cap on a cat.

The bill allows for a licensed veterinarian to determine if a phalangectomy procedure is necessary for **therapeutic purposes**. If a vet performs a procedure, they shall file a written statement within 10 days with the animal control agency in the area including which procedure was performed, the laboratory pathology report confirming the pathology, and the identifying information of the cat.

Definitions:

"Onychectomy." A procedure in which a portion of the paw of a cat is amputated or removed or disables a claw, including procedures commonly referred to as declawing.

"Partial digital amputation." A procedure for the excision of some or all of one or more of the phalanges of the paw of a cat.

"Phalangectomy." A procedure for the excision of one or more of the phalanges of the paw of a cat.

"Tendonectomy." A procedure in which the tendons to the limbs, paws or toes of a cat are cut or modified so that the cat's claws cannot function normally.

"Therapeutic purpose." A purpose necessary to address the physical medical condition of the cat, such as an existing or recurring physical illness, infection, disease, injury or abnormal condition in a claw that compromises the cat's health. The term does not mean cosmetic or aesthetic reasons or reasons of convenience in keeping or handling the cat.

Specific penalties are not contained in the bill, but under the current section 5524, unless otherwise specifically provided, a person convicted of a summary offense under this subchapter shall, upon conviction, be sentenced to pay a fine of not less than \$50 nor more than \$750 or imprisonment for not more than 90 days, or both.

Effective Date:

60 Days.

G. Relevant Existing Laws

Under current law, a veterinarian can perform the declawing of a cat for *cosmetic or therapeutic purposes* in the Commonwealth.

18 Pa.C.S. § 5533. Cruelty to animal.

(a) Offense defined.--A person commits an offense if the person intentionally, knowingly or recklessly illtreats, overloads, beats, abandons or abuses an animal.

(b) Grading .--

- (1) Except as set forth in paragraph (2), a violation of this section is a summary offense.
- (2) If the violation causes bodily injury to the animal or places the animal at imminent risk of serious bodily injury, a violation of this section is a misdemeanor of the second degree.

18 Pa.C.S. § 5542. Animal mutilation and related offenses.

- (a) Cropping of ear.--The following apply:
 - (1) A person commits an offense under section 5533 (relating to cruelty to animal) if the person crops, trims or cuts off, or causes or procures to be cropped, trimmed or cut off, the whole or part of the ear or ears of a dog.
 - (2) The provisions of this subchapter shall not prevent a licensed doctor of veterinary medicine from cropping, trimming or cutting off the whole or part of the ear or ears of a dog when the dog is anesthetized and shall not prevent a person from causing or procuring the cropping, trimming or cutting off of a dog's ear or ears by a licensed doctor of veterinary medicine.
 - (3) The possession by a person of a dog with an ear or ears cropped, trimmed or cut off and with the wound or incision site resulting therefrom unhealed, or any such dog being found in the charge or custody of any person or confined upon the premises owned by or under the control of any person, shall be prima facie evidence of a violation by the person, except as provided for in this subsection.
 - (4) A person who procures the cropping, trimming or cutting off of the whole or part of an ear or ears of a dog shall record the procedure. The record shall include the name of the attending licensed doctor of veterinary medicine and the date and location at which the procedure was performed. The record shall be kept as long as the wound or incision site is unhealed and shall be transferred with the dog during that period of time.

(b) Debarking.--The following apply:

- (1) A person commits an offense under section 5533 if the person debarks a dog by cutting, causing or procuring the cutting of its vocal cords or by altering, causing or procuring the alteration of a part of its resonance chamber.
- (2) The provisions of this subchapter shall not prevent a licensed doctor of veterinary medicine from cutting the vocal cords or otherwise altering the resonance chamber of a dog when the dog is anesthetized and shall not prevent a person from causing or procuring a debarking procedure by a licensed doctor of veterinary medicine.
- (3) The possession by a person of a dog with the vocal cords cut or the resonance chamber otherwise altered and with the wound or incision site resulting therefrom unhealed, or any such dog being found in the charge or custody of a person or confined upon the premises

owned by or under the control of a person, shall be prima facie evidence of a violation by the person, except as provided in this subsection.

(4) A person who procures the cutting of vocal cords or the alteration of the resonance chamber of a dog shall record the procedure. The record shall include the name of the attending licensed doctor of veterinary medicine and the date and location at which the procedure was performed. The record shall be kept as long as the wound or incision site is unhealed and shall be transferred with the dog during that period of time.

(c) Docking of tail.--The following apply:

- (1) A person commits an offense under section 5533 if the person docks, cuts off, causes or procures the docking or cutting off of the tail of a dog over five days old.
- (2) The provisions of this subchapter shall not prevent a licensed doctor of veterinary medicine from docking, cutting off or cropping the whole or part of the tail of a dog when the dog is at least 12 weeks of age and the procedure is performed using general anesthesia and shall not prevent a person from causing or procuring the cutting off or docking of a tail of a dog by a licensed doctor of veterinary medicine as provided in this subsection.
- (3) The provisions of this subchapter shall not prevent a licensed doctor of veterinary medicine from surgically removing, docking, cutting off or cropping the tail of a dog between five days and 12 weeks of age if, in the licensed doctor of veterinary medicine's professional judgment, the procedure is medically necessary for the health and welfare of the dog. If the procedure is performed, it shall be done in accordance with generally accepted standards of veterinary practice.
- (4) The possession by a person of a dog with a tail cut off or docked and with the wound or incision site resulting therefrom unhealed, or any such dog being found in the charge or custody of any person or confined upon the premises owned by or under the control of any person, shall be prima facie evidence of a violation by the person, except as provided in this subsection.
- (5) A person who procures the cutting off or docking of a tail of a dog shall record the procedure. The record shall include the name of the attending licensed doctor of veterinary medicine and the date and location at which the procedure was performed. The record shall be kept as long as the wound or incision site is unhealed and shall be transferred with the dog during that period of time.

(d) Surgical birth.--The following apply:

- (1) A person commits an offense under section 5533 if the person surgically births or causes or procures a surgical birth.
- (2) The provisions of this subchapter shall not prevent a licensed doctor of veterinary medicine from surgically birthing a dog when the dog is anesthetized and shall not prevent a person from causing or procuring a surgical birthing by a licensed doctor of veterinary medicine.
- (3) The possession by a person of a dog with a wound or incision site resulting from a surgical birth unhealed, or any such dog being found in the charge or custody of a person or confined upon the premises owned by or under the control of any person, shall be prima facie evidence of a violation by the person, except as provided in this subsection.
- (4) A person who procures the surgical birth of a dog shall record the procedure. The record shall include the name of the attending licensed doctor of veterinary medicine and the date

and location at which the procedure was performed. The record shall be kept as long as the wound or incision site is unhealed and shall be transferred with the dog during that period of time.

(5) This subsection shall not apply to personnel required to comply with standards to minimize pain to an animal set forth in section 2143(a)(3) of the Animal Welfare Act (Public Law 89-544, 7 U.S.C. § 2131 et seq.), trained in accordance with section 2143(d) of the Animal Welfare Act, who work in a federally registered research facility required to comply with the Animal Welfare Act under the guidance or oversight of a licensed doctor of veterinary medicine.

(e) Dewclawing.--The following apply:

- (1) A person commits an offense under section 5533 if the person cuts off or causes or procures the cutting off of the dewclaw of a dog over five days old.
- (2) The provisions of this subchapter shall not prevent a licensed doctor of veterinary medicine from cutting the dewclaw and shall not prevent a person from causing or procuring the procedure by a licensed doctor of veterinary medicine.
- (3) The possession by a person of a dog with the dewclaw cut off and with the wound or incision site resulting therefrom unhealed, or any such dog being found in the charge or custody of a person or confined upon the premises owned by or under the control of a person, shall be prima facie evidence of a violation by the person, except as provided in this subsection.
- (4) A person who procures the cutting off of the dewclaw of a dog shall record the procedure. The record shall include the name of the attending licensed doctor of veterinary medicine and the date and location at which the procedure was performed. The record shall be kept as long as the wound or incision site is unhealed and shall be transferred with the dog during that period of time.
- (f) Additional penalty.--In addition to any other penalty provided by law, upon conviction for conduct described in this section, the court may order the convicted person to undergo a psychological or psychiatric evaluation and to undergo treatment at the convicted person's expense that the court determines to be appropriate after due consideration of the evaluation.

E. Prior Session (Previous Bill Numbers & House/Senate Votes)

HB 508 of 2023 was referred to the House Judiciary Committee and received no consideration.

HB 1624 of 2021 was referred to the House Judiciary Committee and received no consideration.

HOUSE BILL

No. 1932 Session of 2025

INTRODUCED BY KLUNK, SHUSTERMAN, SANCHEZ, ECKER, CONKLIN, REICHARD, PROBST, CIRESI, RIVERA, D. WILLIAMS, GILLEN AND GAYDOS, OCTOBER 8, 2025

REFERRED TO COMMITTEE ON JUDICIARY, OCTOBER 8, 2025

AN ACT

- Amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in sexual offenses, repealing 2 provisions relating to the offense of sexual intercourse with 3 animal; and, in riot, disorderly conduct and related offenses, further providing for definitions and for the offense of aggravated cruelty to animal, providing for the offense of sexual crimes against animals and further providing for exemption of normal agricultural operations. 8 9 The General Assembly of the Commonwealth of Pennsylvania 10 hereby enacts as follows: 11 Section 1. Section 3129 of Title 18 of the Pennsylvania 12 Consolidated Statutes is repealed: 13 [§ 3129. Sexual intercourse with animal. A person who engages in any form of sexual intercourse with 14 15 an animal commits a misdemeanor of the second degree. 16 Section 2. Section 5531 of Title 18 is amended by adding a 17 definition to read: § 5531. Definitions. 18 19
- 20 "Sexual contact with an animal." An act committed between an

- 1 <u>individual and an animal involving:</u>
- 2 (1) Contact between the sex organs or anus of an animal
- 3 and the mouth, sex organs or anus of an individual.
- 4 (2) The insertion of any part of an animal's body into
- 5 <u>the vaginal or anal opening of an individual.</u>
- 6 (3) Except as provided in section 5534.1(b) (relating to
- 7 aggravated cruelty to animal), the insertion of any part of
- 8 the body of an individual or any foreign object into the
- 9 <u>vaginal or anal opening of an animal.</u>
- 10 * * *
- 11 Section 3. Section 5534(b) of Title 18 is amended to read:
- 12 § 5534. Aggravated cruelty to animal.
- 13 * * *
- 14 (b) Grading.--[A]
- 15 <u>(1) Except as provided in paragraph (2), a</u> violation of
- this section is a felony of the third degree.
- 17 (2) A violation of subsection (a) (1) is a felony of the
- 18 <u>second degree if the violation occurs in the presence of a</u>
- minor under 13 years of age.
- 20 Section 4. Title 18 is amended by adding a section to read:
- 21 § 5534.1. Sexual crimes against animals.
- 22 (a) Offense defined. -- A person commits an offense if the
- 23 person intentionally or knowingly does any of the following:
- 24 (1) Engages in sexual contact with an animal.
- 25 (2) Possesses, sells, transfers, purchases or otherwise
- 26 <u>obtains an animal with the intent that it be subject to</u>
- 27 <u>sexual contact.</u>
- 28 <u>(3) Organizes, promotes, conducts, aids or participates</u>
- in as an observer any act involving sexual contact with an
- 30 animal.

1	(4) Causes, coerces or aids another person to engage in
2	sexual contact with an animal.
3	(5) Permits sexual contact with an animal to be
4	conducted on any premises under the person's charge or
5	control.
6	(6) Advertises, solicits, offers or accepts the offer of
7	an animal with the intent that the animal be used for sexual
8	contact.
9	(b) Construction This section shall not be construed to
10	prohibit any of the following:
11	(1) Accepted veterinary medicine practices.
12	(2) Artificial insemination of an animal for
13	reproductive purposes.
14	(3) Normal agricultural operation practices and
15	procedures.
16	(4) Accepted animal husbandry or animal care, including
17	grooming, raising, breeding, assisting with the birthing
18	process of animals or any other practice that provides care
19	for an animal.
20	(5) Accepted practices of judging breed conformation.
21	(c) Grading
22	(1) Except as provided under paragraph (2), a violation
23	of this section is a felony of the third degree.
24	(2) A violation of subsection (a)(1) or (4) is a felony
25	of the second degree if the violation occurred in the
26	<pre>presence of a minor.</pre>
27	(d) Additional penalty In addition to any other penalty
28	imposed, a person convicted of violating this section shall be
29	ordered to:
30	(1) Relinquish custody of all animals under the person's

1 control. If the person convicted of violating this section is not the owner of the animal that was the subject of the 2 violation, the animal shall be returned to the owner of the 3 4 animal. (2) Not harbor, own, possess or exercise control over 5 6 any animal for no less than five years. (3) For a period of time not less than five years, not: 7 (i) reside in any household where an animal is 8 9 present; (ii) engage in an occupation, whether paid or 10 unpaid, involving animals; or 11 (iii) participate in a volunteer position at any 12 establishment where animals are present. 13 14 Section 5. Section 5560 of Title 18 is amended to read: 15 § 5560. Exemption of normal agricultural operations. 16 Sections 5532 (relating to neglect of animal), 5533 (relating to cruelty to animal), 5534 (relating to aggravated cruelty to 17 animal), 5534.1 (relating to sexual crimes against animals), 18 19 5536 (relating to tethering of unattended dog) and 5543 20 (relating to animal fighting) shall not apply to activity undertaken in a normal agricultural operation. 21

Section 6. This act shall take effect in 60 days.

22

Bill No: HB1932 PN2431 Prepared By: Michelle Batt, Esq. (717) 705-1880,6312

Committee: Judiciary

Executive Director: David Vitale, Esq. Sponsor: Klunk and Shusterman

Date: 10/8/2025

A. Brief Concept

Repeals the criminal offense of "sexual intercourse with animal", replaces it with the crime of "sexual crimes against animals", and increases the penalties for "aggravated cruelty to animals" committed in the presence of a minor child.

C. Analysis of the Bill

Amends Title 18 by:

- Repealing Section 3129 (Sexual intercourse with animal).
- Amending Section 5534 (Aggravated cruelty to animal) to enhance the grading for an offense based on torture to a felony of the second degree if the violation occurs in the presence of a minor under 13 years of age.
- Adding "Sexual contact with an animal" to Section 5531 (Definitions), defined as an act committed between an individual and an animal involving:
 - (1) Contact between the sex organs or anus of an animal and the mouth, sex organs or anus of an individual.
 - (2) The insertion of any part of an animal's body into the vaginal or anal opening of an individual.
 - (3) Except as provided in section 5534.1(b) (relating to aggravated cruelty to animal), the insertion of any part of the body of an individual or any foreign object into the vaginal or anal opening of an animal.
- Adding Section 5534.1 (Sexual crimes against animals), to prohibit a person from intentionally or knowingly:
 - 1. Engaging in sexual contact with an animal.
 - 2. Possessing, selling, transferring, purchasing or obtaining an animal with the intent that it be subject to sexual contact.
 - 3. Organizing, promoting, conducting, aiding or participating as an observer any act involving sexual contact with an animal.
 - 4. Causing, coercing or aiding another person to engage in sexual contact with an animal.
 - 5. Permitting sexual contact with an animal to be conducted on any premises under the person's charge or control.
 - 6. Advertises, solicits, offers or accepts the offer of an animal with the intent that the animal be used for sexual contact.

Penalties -- a violation of this section is a felony of the third degree, unless the offense is for a violation of (1) or (4) which occurred in the presence of a minor, in which case it is a felony of the second degree.

A person convicted of violating this section shall also be ordered to relinquish custody of all animals under the person's control, and for a period of time not less than five years:

- 1. not harbor, own, possess or exercise control over any animal;
- 2. not reside in any household where an animal is present;

3. not engage in an occupation, whether paid or unpaid, involving animals or participate in a volunteer position at any establishment where animals are present.

Construction: This section shall not be construed to prohibit any accepted veterinary medicine practice, artificial insemination of an animal for reproductive purposes, normal agricultural operation practices and procedures, accepted animal husbandry or animal care, or accepted practices of judging breed conformation.

• Adding a reference to Section 5534.1 (Sexual crimes against animals) in Section 5560 (Exemption of normal agricultural operations).

Effective Date:

60 Days.

G. Relevant Existing Laws

18 Pa.C.S. § 3129. Sexual intercourse with animal.

A person who engages in any form of sexual intercourse with an animal commits a misdemeanor of the second degree.

18 Pa.C.S. § 5531. Definitions.

The following words and phrases when used in this subchapter shall have the meanings given to them in this section unless the context clearly indicates otherwise:

"Accelerant detection dog." A dog that is trained for accelerant detection, commonly referred to as arson canines.

"Animal fighting." Fighting or baiting a bull, bear, dog, cock or other creature.

- "Animal fighting paraphernalia." A device, implement, object or drug used or intended to be used for animal fighting, to train an animal for animal fighting or in furtherance of animal fighting. In determining whether an object is animal fighting paraphernalia, a court or other authority should consider the following:
 - (1) Statements by an owner or by an individual in control of the object concerning its use.
 - (2) A prior conviction under Federal or State law relating to animal fighting.
 - (3) The proximity of the object in time and space to the direct violation of this subchapter.
 - (4) Direct or circumstantial evidence of the intent of the accused to deliver the object to persons whom the accused knows or should reasonably know intends to use the object to facilitate a violation of this subchapter.
 - (5) Oral or written instructions provided with or in the vicinity of the object concerning the object's use.
 - (6) Descriptive materials accompanying the object which explain or depict the object's use.
 - (7) All other logically relevant factors.

- "Audibly impaired." The inability to hear air conduction thresholds at an average of 40 decibels or greater in the better ear.
- "Blind." Having a visual acuity of 20/200 or less in the better eye with correction or having a limitation of the field of vision such that the widest diameter of the visual field subtends an angular distance not greater than 20 degrees.
- "Bodily injury." Impairment of physical condition or substantial pain.
- "Bomb detection dog." A dog that is trained to locate a bomb or explosives by scent.
- "Certified veterinary technician." As defined in section 3(13) of the act of December 27, 1974 (P.L.995, No.326), known as the Veterinary Medicine Practice Act.
- "Conveyance." A truck, tractor, trailer or semitrailer, or a combination of these, propelled or drawn by mechanical power.
- "Deaf." Totally impaired hearing or hearing with or without amplification which is so seriously impaired that the primary means of receiving spoken language is through other sensory input, including, but not limited to, lip reading, sign language, finger spelling or reading.
- "Domestic animal." A dog, cat, equine animal, bovine animal, sheep, goat or porcine animal.
- "Domestic fowl." An avis raised for food, hobby or sport.
- "Equine animal." A member of the Equidae family, which includes horses, asses, mules, ponies and zebras.
- "Humane society police officer." As defined in 22 Pa.C.S. § 3702 (relating to definitions).
- "Licensed doctor of veterinary medicine." As defined in section 3(8) of the Veterinary Medicine Practice Act.
- "Narcotic detection dog." A dog that is trained to locate narcotics by scent.
- "Normal agricultural operation." Normal activities, practices and procedures that farmers adopt, use or engage in year after year in the production and preparation for market of poultry, livestock and their products in the production and harvesting of agricultural, agronomic, horticultural, silvicultural and aquicultural crops and commodities.
- "Physically limited." Having limited ambulation, including, but not limited to, a temporary or permanent impairment or condition that causes an individual to use a wheelchair or walk with difficulty or insecurity, affects sight or hearing to the extent that an individual is insecure or exposed to danger, causes faulty coordination or reduces mobility, flexibility, coordination or perceptiveness.
- "Police animal." An animal, including, but not limited to, dogs and horses, used by the Pennsylvania State Police, a police department created by a metropolitan transportation authority operating under 74 Pa.C.S. Ch. 17 (relating to metropolitan transportation authorities), a police department created under the act of April 6, 1956 (1955 P.L.1414, No.465), known as the Second Class County Port Authority Act, the Capitol Police, the Department of Corrections, a county facility or office or by a municipal police department, fire department, search and rescue unit or agency or handler under the supervision of the department, search and rescue unit or agency in the performance of the functions or duties of the department, search and rescue unit or agency, whether the animal is on duty or not on

duty. The term shall include, but not be limited to, an accelerant detection dog, bomb detection dog, narcotic detection dog, search and rescue dog and tracking animal.

"Search and rescue dog." A dog that is trained to locate lost or missing persons, victims of natural or manmade disasters and human bodies.

"Serious bodily injury." Bodily injury that creates a substantial risk of death or causes serious, permanent disfigurement or protracted loss or impairment of the function of a bodily member or organ.

"Service, guide or support dog." A dog that is trained or is being trained to work or perform tasks for the benefit of an individual with a disability consistent with Federal and State law related to service animals.

"Torture." Any of the following acts directed toward or against an animal unless directed to be performed by a licensed doctor of veterinary medicine acting within the normal scope of practice:

- (1) Breaking, severing or severely impairing limbs.
- (2) Inflicting severe and prolonged pain from burning, crushing or wounding.
- (3) Causing or allowing severe and prolonged pain through prolonged deprivation of food or sustenance without veterinary care.

"Tracking animal." An animal that is trained to track or used to pursue a missing person, escaped inmate or fleeing felon.

"Veterinary assistant." As defined in section 3(14) of the Veterinary Medicine Practice Act.

18 Pa.C.S. § 5534. Aggravated cruelty to animal.

- (a) Offense defined.--A person commits an offense if the person intentionally or knowingly does any of the following:
 - (1) Tortures an animal.
 - (2) Violates section 5532 (relating to neglect of animal) or 5533 (relating to cruelty to animal) causing serious bodily injury to the animal or the death of the animal.
- (b) Grading.--A violation of this section is a felony of the third degree.

18 Pa.C.S. § 5560. Exemption of normal agricultural operations.

Sections 5532 (relating to neglect of animal), 5533 (relating to cruelty to animal), 5534 (relating to aggravated cruelty to animal), 5536 (relating to tethering of unattended dog) and 5543 (relating to animal fighting) shall not apply to activity undertaken in a normal agricultural operation.

E. Prior Session (Previous Bill Numbers & House/Senate Votes)

None.

HOUSE BILL

No. 1933 Session of 2025

INTRODUCED BY SAPPEY, KLUNK, SANCHEZ, HANBIDGE, FREEMAN, HILL-EVANS, HOHENSTEIN, BRENNAN, NEILSON, CONKLIN, HOWARD, PROBST, STEELE, CIRESI, RIVERA AND D. WILLIAMS, OCTOBER 8, 2025

REFERRED TO COMMITTEE ON JUDICIARY, OCTOBER 8, 2025

AN ACT

1 2 3 4	Amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in riot, disorderly conduct and related offenses, providing for persons required to report suspected aggravated cruelty to animal.
5	The General Assembly of the Commonwealth of Pennsylvania
6	hereby enacts as follows:
7	Section 1. Title 18 of the Pennsylvania Consolidated
8	Statutes is amended by adding a section to read:
9	§ 5555.1. Persons required to report suspected aggravated
10	cruelty to animal.
11	(a) Mandated reporters A person shall make a report of
12	suspected aggravated cruelty against an animal if the person has
13	reasonable cause to suspect that the animal is a victim of
14	aggravated cruelty and the person is any of the following:
15	(1) A licensed doctor of veterinary medicine.
16	(2) A veterinary assistant.
17	(3) An employee of a nonprofit society or association
18	duly incorporated in accordance with 15 Pa.C.S. Ch. 53 Subch.

1	A (re	lating	to incom	rporation	generally)	for	the	purpose	of

- 2 <u>protecting animals or preventing animal cruelty.</u>
- 3 (b) Manner of reporting. -- A report under subsection (a)
- 4 shall be made to a law enforcement agency, either orally or in
- 5 writing, and shall include, if known, the following information:
- 6 (1) The species, name and description of the animal.
- 7 (2) The address and telephone number of the owner or
- 8 <u>other person responsible for the care of the animal.</u>
- 9 (3) A description of the nature and extent of the
- 10 <u>suspected aggravated cruelty</u>, including the date and time
- that the suspected aggravated cruelty occurred or was
- 12 <u>discovered.</u>
- 13 (4) Any evidence of prior incidents of aggravated
- cruelty involving the animal.
- 15 (5) Any explanation given for the suspected aggravated
- 16 <u>cruelty.</u>
- 17 (6) The name and contact information of the person
- 18 <u>making the report.</u>
- 19 (7) Any other information that the person making the
- 20 report believes may be helpful in establishing the cause of
- 21 the suspected aggravated cruelty or the identity of the
- 22 person who caused the suspected aggravated cruelty.
- 23 (c) Immunity. -- A mandated reporter under subsection (a)
- 24 acting in good faith shall have immunity from civil and criminal
- 25 liability that might otherwise result from:
- 26 (1) Making a report of suspected aggravated cruelty,
- 27 <u>regardless of whether the report is required to be made under</u>
- this section.
- 29 (2) Cooperating or consulting with an investigation
- 30 under this subchapter.

- 1 (3) Testifying in a proceeding arising out of an
- 2 <u>instance of suspected aggravated cruelty.</u>
- 3 (d) Definitions. -- As used in this section, the following
- 4 words and phrases shall have the meanings given to them in this
- 5 <u>subsection unless the context clearly indicates otherwise:</u>
- 6 "Aggravated cruelty." A violation of 18 Pa.C.S. 5534
- 7 <u>(relating to aggravated cruelty to animal).</u>
- 8 Section 2. This act shall take effect in 60 days.

LEGISLATIVE REFERENCE BUREAU

AMENDMENTS TO HOUSE BILL NO. 1933

Sponsor: Briggs

Printer's No. 2432

1	Amend Bill, page 1, by inserting between lines 15 and 16
2	(2) A certified veterinary technician.
3	Amend Bill, page 1, line 16, by striking out " (2) " and
4	inserting
5	<u>(3)</u>
6	Amend Bill, page 1, line 17, by striking out " (3) " and
7	inserting
8	(4)
9	Amend Bill, page 2, line 25, by inserting after "liability"
10	and State licensing action
11	Amend Bill, page 3, by inserting between lines 7 and 8
12	"Certified veterinary technician." As defined in the act of
13	December 27, 1974 (P.L.995, No.326), known as the Veterinary
14	Medicine Practice Act.
15	"Licensed doctor of veterinary medicine." As defined in the
16	Veterinary Medicine Practice Act.
17	"Veterinary assistant." As defined in the Veterinary
18	Medicine Practice Act

Bill No: HB1933 PN2432 Prepared By: David Vitale, Esq. (717) 705-7011,6791

Committee: Judiciary

Executive Director: David Vitale, Esq. Sponsor: Sappey and Klunk

Date: 10/6/2025

A. Brief Concept

Requires veterinarians, veterinary assistants, and duly incorporated nonprofit societies or associations whose purpose is to protect animals to report suspected instances of aggravated animal cruelty to law enforcement.

C. Analysis of the Bill

Adds § 5555.1 (Persons required to report suspected aggravated cruelty to animal) to Title 18 to mandate that licensed Doctors of Veterinary Medicine, veterinary assistants, and employees of a nonprofit society or association report suspected aggravated cruelty against an animal if the person has reasonable cause to suspect that the animal is a victim of aggravated cruelty.

The **report** shall be made to a law enforcement, either orally or in writing, and include the following information:

- 1. The species, name and description of the animal.
- 2. The address and telephone number of the owner or other person responsible for the care of the animal.
- 3. A description of the nature and extent of the suspected aggravated cruelty, including the date and time that the suspected aggravated cruelty occurred or was discovered.
- 4. Any evidence of prior incidents of aggravated cruelty involving the animal.
- 5. Any explanation given for the suspected aggravated cruelty.
- 6. The name and contact information of the person making the report.
- 7. Any other information that the person making the report believes may be helpful in establishing the cause of the suspected aggravated cruelty or the identity of the person who caused the suspected aggravated cruelty.

A mandated reporter under this subsection acting in good faith shall have **immunity** from civil and criminal liability.

Effective Date:

60 Days.

G. Relevant Existing Laws

- 18 Pa.C.S. § 5534 (Aggravated cruelty to animal).
- (a) Offense defined.--A person commits an offense if the person intentionally or knowingly does any of the following:
- (1) Tortures an animal.
- (2) Violates section 5532 (relating to neglect of animal) or 5533 (relating to cruelty to animal) causing serious bodily injury to the animal or the death of the animal.
- (b) Grading.--A violation of this section is a felony of the third degree.

E. Prior Session (Previous Bill Numbers & House/Senate Votes)

None.

HOUSE BILL

No. 1938 Session of 2025

INTRODUCED BY SHUSTERMAN, KLUNK, BRENNAN, STEELE, MOUL, D. WILLIAMS, PROBST AND RIVERA, OCTOBER 10, 2025

REFERRED TO COMMITTEE ON JUDICIARY, OCTOBER 10, 2025

AN ACT

Amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in riot, disorderly conduct and 2 related offenses, further providing for the offense of 3 aggravated cruelty to animal. 4 5 The General Assembly of the Commonwealth of Pennsylvania 6 hereby enacts as follows: Section 1. Section 5534(b) of Title 18 of the Pennsylvania 7 Consolidated Statutes is amended to read: 8 9 § 5534. Aggravated cruelty to animal. * * * 10 11 (b) Grading. -- [A] (1) Except as provided in paragraph (2), a violation of 12 13 this section is a felony of the third degree. (2) A second or subsequent violation of this section 14 15 shall be graded as a felony of the second degree.

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

16

(717) 705-7011,6791

Bill No: HB1938 PN2446 Prepared By: David Vitale, Esq.

Committee: Judiciary

Sponsor: Shusterman and Klunk Executive Director: David Vitale, Esq.

Date: 10/6/2025

A. Brief Concept

Increases the grading for repeat offenders of aggravated cruelty to animals.

C. Analysis of the Bill

Amends Title 18, section 5534(b) (Aggravated Cruelty to Animal) to increase the grading for a second or subsequent violation of this section to a felony of the second degree.

Effective Date:

60 Days.

G. Relevant Existing Laws

Currently, aggravated cruelty to animal is a felony of the third degree.

18 Pa.C.S. § 5534 (Aggravated cruelty to animal).

- (a) Offense defined.--A person commits an offense if the person intentionally or knowingly does any of the following:
 - (1) Tortures an animal.
- (2) Violates section 5532 (relating to neglect of animal) or 5533 (relating to cruelty to animal) causing serious bodily injury to the animal or the death of the animal.
- (b) Grading.--A violation of this section is a felony of the third degree.

18 Pa. C.S. § 5533. Cruelty to animal.

- (a) Offense defined.--A person commits an offense if the person intentionally, knowingly or recklessly illtreats, overloads, beats, abandons or abuses an animal.
- (b) Grading.--
 - (1) Except as set forth in paragraph (2), a violation of this section is a summary offense.
- (2) If the violation causes bodily injury to the animal or places the animal at imminent risk of serious bodily injury, a violation of this section is a misdemeanor of the second degree.

18 Pa. C.S. § 5532. Neglect of animal.

- (a) Offense defined.--A person commits an offense if the person fails to provide for the basic needs of each animal to which the person has a duty of care, whether belonging to himself or otherwise, including any of the following:
 - (1) Necessary sustenance and potable water.
- (2) Access to clean and sanitary shelter and protection from the weather. The shelter must be sufficient to permit the animal to retain body heat and keep the animal dry.

- (3) Necessary veterinary care.
- (b) Grading .--
- (1) Except as set forth in paragraph (2), a violation of this section is a summary offense.
- (2) If the violation causes bodily injury to the animal or places the animal at imminent risk of serious bodily injury, a violation of this section is a misdemeanor of the third degree.

E. Prior Session (Previous Bill Numbers & House/Senate Votes)

None.