
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 459 Session of
2021

INTRODUCED BY McNEILL, HILL-EVANS, SCHMITT, BROOKS, SANCHEZ,
KINSEY, FREEMAN, CIRESI, CONKLIN, NEILSON, SIMS, HOHENSTEIN,
PASHINSKI, O'MARA, SCHWEYER, QUINN, McCLINTON, SAINATO,
KOSIEROWSKI, ISAACSON, FITZGERALD, MADDEN AND KIM,
FEBRUARY 9, 2021

REFERRED TO COMMITTEE ON JUDICIARY, FEBRUARY 9, 2021

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, in riot, disorderly conduct and
3 related offenses, further providing for prohibition of
4 ownership of certain animals.

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

7 Section 1. Section 5555 of Title 18 of the Pennsylvania
8 Consolidated Statutes is amended to read:

9 § 5555. Prohibition of ownership.

10 (a) General rule.--Notwithstanding any provision of law and
11 in addition to any other penalty provided by law, the authority
12 imposing sentence upon a conviction for a violation of this
13 subchapter [may] shall order the prohibition [or limitation] of
14 the defendant's ownership, possession, control or custody of
15 animals or employment with the care of animals for a period of
16 [time not to exceed the statutory maximum term of imprisonment
17 applicable to the offense for which sentence is being imposed]

1 no less than two years. A humane society police officer, law
2 enforcement officer or State dog warden shall have authority to
3 ensure compliance with this section and may notify the local
4 district attorney who may petition the court to remove animals
5 kept in violation of this section.

6 (b) Violence prevention counseling required.--

7 (1) An order issued under subsection (a) shall require
8 the defendant to attend and complete violence prevention
9 counseling, which attendance and completion must be proven to
10 the authority imposing the sentence through a signed and
11 dated written acknowledgment.

12 (2) For a second or subsequent violation of this
13 subchapter, the authority shall require further violence
14 prevention counseling, which must be satisfactorily completed
15 and documented each time and provided to the authority
16 imposing the sentence.

17 (c) Offense defined.--An individual subject to this section
18 commits an offense if the individual:

19 (1) Fails to attend and complete violence prevention
20 counseling as ordered by the authority.

21 (2) Possesses, owns, controls or has custody of or is
22 employed with the care of an animal while the order remains
23 in effect.

24 (d) Grading.--

25 (1) A violation of subsection (c) (2) shall constitute a
26 misdemeanor of the third degree and, upon conviction, shall
27 result in a prohibition extension of at least one year.

28 (2) A second violation of subsection (c) (2) shall
29 constitute a misdemeanor of the second degree and, upon
30 conviction, shall result in a prohibition extension of at

1 least five years.

2 (3) A third or subsequent violation of subsection (c) (2)
3 shall constitute a misdemeanor of the first degree and, upon
4 conviction, shall result in a prohibition extension of at
5 least 10 years.

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