
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1176 Session of
2013

INTRODUCED BY STACK, FERLO, SMITH, BLAKE, TEPLITZ, LEACH,
DINNIMAN, ALLOWAY AND BOSCOLA, NOVEMBER 15, 2013

REFERRED TO JUDICIARY, NOVEMBER 15, 2013

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, in other offenses, providing for the
3 offense of declawing and devocalizing of animals on leased
4 premises.

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 § 7518. Declawing and devocalizing of animals on leased
10 premises.

11 (a) Offense defined.--A person that occupies, owns, manages
12 or provides services in connection with any real property,
13 including an agent or successor in interest of such person, and
14 that allows an animal on the premises, may not:

15 (1) advertise, through any means, the availability of
16 real property for occupancy in a manner designed to
17 discourage application for occupancy of that real property
18 because an applicant's animal has not been declawed or
19 devocalized;

1 (2) refuse to allow the occupancy of any real property,
2 refuse to negotiate the occupancy of any real property or
3 otherwise make unavailable or deny to any other person the
4 occupancy of any real property because of that person's
5 refusal to declaw or devocalize an animal; or

6 (3) require any tenant or occupant of real property to
7 declaw or devocalize an animal allowed on the premises.

8 (b) Enforcement.--The Attorney General and a district
9 attorney have standing to enforce this section and may bring an
10 action for declaratory relief or injunctive relief for a
11 violation of this section or to enforce the civil penalties
12 provided in subsection (c).

13 (c) Penalties.--In addition to any other penalty allowed by
14 law, a violation of:

15 (1) Subsection (a) (1) shall result in a civil penalty of
16 not more than \$1,000 per advertisement.

17 (2) Subsection (a) (2) or (3) shall result in a civil
18 penalty of not more than \$1,000 per animal.

19 (d) Definitions.--The following words and phrases shall have
20 the meanings given to them in this section unless the context
21 clearly indicates otherwise:

22 "Animal." A mammal, bird, reptile or amphibian.

23 "Application for occupancy." Any phase of the process of
24 applying for the right to occupy real property, including, but
25 not limited to, filling out an application, interviewing and
26 submitting a reference.

27 "Claw." A hardened keratinized modification of the epidermis
28 or a hardened keratinized growth that extends from the end of
29 the digits of certain animals, often commonly referred to as a
30 claw, talon or nail.

1 "Declawing." Performing, procuring or arranging for any
2 procedure, including, but not limited to, an onychectomy,
3 tendonectomy or phalangectomy to remove or to prevent the normal
4 function of an animal's claw.

5 "Devocalizing." Performing, procuring or arranging for any
6 surgical procedure, including, but not limited to, a vocal
7 cordectomy to remove an animal's vocal cords or to prevent the
8 normal function of an animal's vocal cords.

9 "Owner." A person who has any right, title or interest in
10 real property.

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