

COVID-19 WAIVER:

Spay/Neuter Requirement Waived at Time of Adoption

Pennsylvania's Dog Law requires shelters and rescues to have dogs and cats spayed/neutered prior to adoption. In consultation with the Pennsylvania Department of Health and the PA Veterinary Medical Association, effective April 2, 2020, the Department of Agriculture is temporarily waiving this requirement due to concerns over the spread of COVID-19. This will allow conservation of PPE and limit risk of exposure to COVID-19 for veterinarians. Shelters must keep a running list of pets adopted out during the COVID-19 pandemic, provide a copy to PDA, and follow up with adopted pets to ensure the procedure takes place. Adoptive pet owners will have up to 120 days from the time of adoption – timeframe to be re-evaluated as necessary to have the procedure completed and come into compliance. All time frames specified below for refund on spay/neuter deposits will also be extended to 120 days.

ARTICLE IX-A STERILIZATION OF DOGS AND CATS (Art. IX-A added Dec. 11, 1996, P.L.943, No.151)

Section 901-A. Definitions.

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

"Adopt" or "adoption." The transfer of ownership of a dog or cat from a releasing agency to a new owner.

"Licensed doctor of veterinary medicine." A person licensed to practice veterinary medicine under the act of December 27, 1974 (P.L.995, No.326), known as the Veterinary Medicine Practice Act, or licensed under similar laws and qualifications in other states.

"Neuter." A procedure to render a male dog or cat unable to reproduce.

"New owner." A person who enters into a binding agreement pursuant to section 902-A and who adopts a dog or cat from a releasing agency.

"Releasing agency." A public or private pound, animal shelter, humane society, society for the prevention of cruelty to animals, rescue network kennel or other similar entity that releases a dog or cat for adoption. (Def. amended Oct. 9, 2008, P.L.1450, No.119)

"Spay." A procedure to render a female dog or cat unable to reproduce.

"Sterilize" or "sterilization." The spaying or neutering of a dog or cat.

(901-A added Dec. 11, 1996, P.L.943, No.151)

Section 902-A. Spaying or neutering as condition for release of certain animals.

No dog or cat may be adopted by a new owner from a releasing agency unless the animal has been sterilized by a licensed doctor of veterinary medicine or unless the new owner signs an agreement to have the animal sterilized by or under the supervision of a licensed doctor of veterinary medicine and deposits funds with the releasing agency to ensure that the adopted

animal will be sterilized. The amount of the deposit required shall be determined by each releasing agency. In no event shall the required deposit be less than \$30 for a dog or \$20 for a cat.

(902-A added Dec. 11, 1996, P.L.943, No.151)

Section 903-A. Refund of deposit upon proof of sterilization.

The funds deposited with the releasing agency shall be refunded to the new owner upon the presentation of a written statement signed by a licensed doctor of veterinary medicine that the subject animal has been sterilized. However, no refunds shall be made unless the animal was sterilized within 60 days of acquisition in the case of a mature animal or, in the case of an immature animal, within 30 days of the date the animal attained the age of six months.

(903-A added Dec. 11, 1996, P.L.943, No.151)

Section 904-A. Rules and sterilization agreement.

Releasing agencies may establish any additional rules to implement this article, provided that such rules are not in conflict with the provisions or purpose of this article to require the sterilization of all dogs and cats adopted from releasing agencies. The sterilization agreement to be used by releasing agencies shall be in substantially the following form:

STERILIZATION AGREEMENT

This agreement is made and entered into this day of , 20 , by and between:

(Releasing Agency)(New Owner)NameNameAddressAddressCityTelephoneCityTelephone

In consideration of the adoption of this animal and in further consideration of mutual obligations herein, the releasing agency authorizes the adoption of the following animal to the new owner:

(describe animal)

- 1. The releasing agency agrees to release the above-listed animal into the care of the new owner and refund the new owner's sterilization deposit provided that:
- (1) The animal is sterilized by a licensed doctor of veterinary medicine by (give date).
- (2) A written statement signed by the licensed doctor of veterinary medicine performing the sterilization that the animal has been sterilized by the stated date is given to the releasing agency.
 - 2. The new owner accepts the above-listed animal and agrees:
- (1) To have the animal sterilized by a licensed doctor of veterinary medicine by (give date).
- (2) To provide written evidence to the releasing agency from the licensed doctor of veterinary medicine performing the sterilization that the animal has been sterilized by the above date listed. This agreement shall be binding upon the assigns, heirs, executors and administrators of the respective parties. The parties hereto have hereunto set their hands the day and year first above written.

Amount of deposit

Releasing Agency (signature of agent) New Owner (signature of)

WRITTEN STATEMENT OF LICENSED DOCTOR OF VETERINARY MEDICINE

I hereby certify that the above-described animal has been sterilized on (give date).

(Signature of Licensed Doctor of Veterinary Medicine)

Address City State Zip (904-A added Dec. 11, 1996, P.L.943, No.151)

Section 905-A. Extension of time to sterilize.

Upon presentation of a written report from a licensed doctor of veterinary medicine stating that the life or health of an adopted animal may be jeopardized by sterilization, the releasing agency shall grant a 30-day extension of the period within which sterilization would otherwise be required. Further extensions shall be granted upon additional veterinary reports stating their necessity.

(905-A added Dec. 11, 1996, P.L.943, No.151)