

AMENDMENTS TO SENATE BILL NO. 652

Sponsor: SENATOR REGAN

Printer's No. 752

1 Amend Bill, page 1, lines 7 and 8, by striking out all of
2 said lines and inserting

3 Section 1. Section 3503(d) of Title 18 of the Pennsylvania
4 Consolidated Statutes is amended and the section is amended by
5 adding a subsection to read:

6 Amend Bill, page 1, line 14, by inserting after "enter"
7 property containing

8 Amend Bill, page 1, line 16, by striking out "privileged" and
9 inserting

10 does not have the permission of the owner or lawful
11 occupant of the property

12 Amend Bill, page 1, line 17, by inserting after "Enters"
13 property containing

14 Amend Bill, page 2, line 10, by inserting after "made"
15 by an emergency services provider

16 Amend Bill, page 2, line 11, by striking out "person" and
17 inserting

18 emergency services provider

19 Amend Bill, page 2, line 25, by striking out "An" and
20 inserting

21 A first

22 Amend Bill, page 2, line 27, by striking out "An" and
23 inserting

24 Except as provided in subparagraph (ii), an

25 Amend Bill, page 2, lines 28 through 30, by striking out

1 "second degree and is punishable by" in line 28 and all of lines
2 29 and 30 and inserting

3 third degree.
4 (ii) An offense under paragraph (1)(i) by an
5 individual under 18 years of age constitutes a
6 misdemeanor of the third degree.

7 Amend Bill, page 3, line 1, by striking out "(ii) An" and
8 inserting

9 (iii) Except as provided in subparagraph (iv), an

10 Amend Bill, page 3, line 2, by striking out "first" and
11 inserting

12 second

13 Amend Bill, page 3, line 4, by striking out "two years" and
14 inserting

15 one year

16 Amend Bill, page 3, line 4, by striking out "\$10,000" and
17 inserting

18 \$5,000

19 Amend Bill, page 3, lines 5 through 30; page 4, lines 1
20 through 25; by striking out all of said lines on said pages and
21 inserting

22 (iv) An offense under paragraph (1)(ii), (iii) or
23 (iv) by an individual under 18 years of age constitutes a
24 misdemeanor of the second degree.

25 (4) A second or subsequent offense under this subsection
26 shall be graded as follows:

27 (i) Except as provided in subparagraph (ii), an
28 offense under paragraph (1)(i) constitutes a felony of
29 the second degree and is punishable by imprisonment for a
30 term of not more than one year and a fine of not less
31 than \$5,000.

32 (ii) An offense under paragraph (1)(i) by an
33 individual under 18 years of age constitutes a
34 misdemeanor of the second degree.

35 (iii) Except as provided in subparagraph (iv), an
36 offense under paragraph (1)(ii), (iii) or (iv)
37 constitutes a felony of the first degree and is
38 punishable by imprisonment for a term of not more than

1 two years and a fine of not less than \$10,000.

2 (iv) An offense under paragraph (1)(ii), (iii) or
3 (iv) by an individual under 18 years of age constitutes a
4 misdemeanor of the first degree.

5 Amend Bill, page 4, by inserting between lines 26 and 27

6 (d) [Definition.--As used in this section, the term "school
7 grounds" means any building of or grounds of any elementary or
8 secondary publicly funded educational institution, any
9 elementary or secondary private school licensed by the
10 Department of Education, any elementary or secondary parochial
11 school, any certified day-care center or any licensed preschool
12 program.] Definitions.--As used in this section, the following
13 words and phrases shall have the meanings given to them in this
14 subsection unless the context clearly indicates otherwise:

15 "Critical infrastructure facility." Any of the following,
16 whether constructed or under construction, if completely
17 enclosed by a fence or other physical barrier that is obviously
18 designated to exclude intruders or if clearly marked with a sign
19 or signs posted on the property that are reasonably likely to
20 come to the attention of intruders and indicate that entry is
21 forbidden without site authorization if notice requirements are
22 not necessary during obvious and apparent construction or for a
23 pipeline to the extent that it is marked by a pipeline marker:

24 (1) A petroleum or alumina refinery.

25 (2) An electrical power generating facility, substation,
26 switching station, electrical control center or electrical
27 power lines and associated equipment infrastructure.

28 (3) A chemical, polymer or rubber manufacturing
29 facility.

30 (4) A water intake structure, water treatment and
31 distribution infrastructure or wastewater treatment and
32 collection infrastructure.

33 (5) A natural gas compressor station.

34 (6) A liquid natural gas terminal or storage facility.

35 (7) A telecommunication central switching office, remote
36 terminal or any other equipment in a secure enclosure used to
37 provide telecommunications services.

38 (8) Wireless and wireline telecommunications
39 infrastructure, including cell towers, small wireless
40 facilities, microwave poles and lines, including copper and
41 fiber optic lines and underground conduit for
42 telecommunications services.

43 (9) A port, railroad switching yard, railroad tracks,
44 trucking terminal or other freight transportation facility.

45 (10) A gas processing plant, including a plant used in
46 the processing, treatment or fractionation of natural gas or
47 natural gas liquids.

48 (11) A transmission facility used by a federally
49 licensed radio or television station.

1 (12) A steelmaking facility that uses an electric arc
2 furnace to make steel.

3 (13) A facility identified and regulated by the
4 Department of Homeland Security Chemical Facility Anti-
5 Terrorism Standards (CFATS) program.

6 (14) A dam that is regulated by the Federal or State
7 government.

8 (15) A natural gas transmission or distribution utility
9 facility, including, but not limited to, pipeline
10 interconnection, a city gate or town border station, metering
11 station, aboveground piping, a regulator station and a
12 natural gas storage facility.

13 (16) A crude oil or refined products storage and
14 distribution facility, including, but not limited to, a valve
15 site, pipeline interconnection, pump station, metering
16 station, belowground or aboveground pipeline or piping and
17 truck loading or offloading facility.

18 (17) An aboveground portion of an oil, gas, hazardous
19 liquid or chemical pipeline, tank or railroad facility or
20 other related storage facility.

21 (18) Oil and gas production facilities, including, but
22 not limited to, well sites, separation and dehydration
23 facilities, produced storage and meter stations.

24 (19) Pipelines used to transport natural gas, oil or
25 refined products, whether buried or above ground.

26 (20) Equipment and machinery, regardless of whether
27 stored on location or at a storage yard, to the extent that
28 it is used to construct a critical infrastructure facility.

29 (21) An energy facility as defined in 18 U.S.C. §
30 1366(c) (relating to destruction of an energy facility).

31 "Emergency services provider." An emergency medical
32 responder, emergency medical technician, advanced emergency
33 medical technician or a paramedic as defined in 35 Pa.C.S. §
34 8103 (relating to definitions).

35 "School grounds." The building or grounds of an elementary
36 or secondary publicly funded educational institution, an
37 elementary or secondary private school licensed by the
38 Department of Education, an elementary or secondary parochial
39 school, a certified day-care center or a licensed preschool
40 program.