

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2354 Session of
2008

INTRODUCED BY PAYNE, BAKER, BELFANTI, BEYER, CAPPELLI,
CREIGHTON, FLECK, GINGRICH, GRUCELA, M. KELLER, KOTIK, MAJOR,
R. MILLER, MURT, PHILLIPS, PYLE, READSHAW, SAYLOR, SIPTROTH,
K. SMITH AND SOLOBAY, MARCH 12, 2008

REFERRED TO COMMITTEE ON JUDICIARY, MARCH 12, 2008

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, further providing for arson
3 endangering property.

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

6 Section 1. Section 3301(c) and (j) of Title 18 of the
7 Pennsylvania Consolidated Statutes are amended to read:

8 § 3301. Arson and related offenses.

9 * * *

10 (c) Arson endangering property.--A person commits a felony
11 of the second degree if he intentionally starts a fire or causes
12 an explosion, whether on his own property or that of another, or
13 if he aids, counsels, pays or agrees to pay another to cause a
14 fire or explosion, and if:

15 (1) he commits the act with intent of destroying or
16 damaging a building or unoccupied structure of another;

17 (2) he thereby recklessly places an inhabited building

1 or occupied structure of another in danger of damage or
2 destruction; [or]

3 (3) he commits the act with intent of destroying or
4 damaging any property, whether his own or of another, to
5 collect insurance for such loss[.]; or

6 (4) he thereby recklessly endangers another person
7 including, but not limited to, an emergency responder.

8 * * *

9 (j) Definitions.--As used in this section the following
10 words and phrases shall have the meanings given to them in this
11 subsection:

12 "Occupied structure." Any structure, vehicle or place
13 adapted for overnight accommodation of persons or for carrying
14 on business therein, whether or not a person is actually
15 present. If a building or structure is divided into separately
16 occupied units, any unit not occupied by the actor is an
17 occupied structure of another.

18 "Property of another." A building or other property, whether
19 occupied or unoccupied and whether real or personal, in which a
20 person other than the actor has an interest which the actor has
21 no authority to defeat or impair, even though the actor may also
22 have an interest in the building or property.

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