

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1278 Session of 2017

INTRODUCED BY FLYNN, SCHLOSSBERG, READSHAW, JAMES, DRISCOLL, MURT, BARRAR, SANKEY, MILLARD, A. HARRIS, MILNE, DeLUCA, COX, D. COSTA, BENNINGHOFF, GILLEN AND FARRY, APRIL 24, 2017

REFERRED TO COMMITTEE ON JUDICIARY, APRIL 24, 2017

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania  
2 Consolidated Statutes, in riot, disorderly conduct and  
3 related offenses, providing for the offense of inciting  
4 violence against law enforcement officer.

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 § 5503.1. Inciting violence against law enforcement officer.

10 (a) Offense defined.--A person commits a felony of the third  
11 degree when the person willfully advocates violence against one  
12 or more law enforcement officers that is likely to incite or  
13 produce such violence.

14 (b) Definitions.--As used in this section, the following  
15 words and phrases shall have the meanings given to them in this  
16 subsection unless the context clearly indicates otherwise:

17 "Law enforcement officer." Any person who by virtue of the  
18 person's office or public employment is vested by law with a

1 duty to maintain public order or to make arrests for offenses,  
2 whether that duty extends to all offenses or is limited to  
3 specific offenses, or any person on active State duty pursuant  
4 to 51 Pa.C.S. § 508 (relating to active duty for emergency). The  
5 term shall also include any member of any park police department  
6 of any county of the third class.

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