

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL
No. 1927 Session of
1989

INTRODUCED BY SAURMAN, NOYE, FARGO, MORRIS, MARSICO, DeLUCA,
FOX, SCHEETZ, FAIRCHILD, E. Z. TAYLOR, MICOZZIE, JOHNSON,
BLACK, LANGTRY, McVERRY, LEH, MELIO AND PITTS,
OCTOBER 2, 1989

REFERRED TO COMMITTEE ON JUDICIARY, OCTOBER 2, 1989

AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the
2 Pennsylvania Consolidated Statutes, further providing for the
3 sentencing of certain public employees.

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

6 Section 1. Title 42 of the Pennsylvania Consolidated
7 Statutes is amended by adding a section to read:

8 § 9720. Sentences for certain public officials.

9 (a) General rule.--Any public official or public employee
10 who commits any of the offenses set forth in this section,
11 through his public office or position or when his public
12 employment places him in a position to commit the crime, shall
13 be sentenced to the next higher grade of punishment than that
14 otherwise provided by law.

15 (b) Offenses enumerated.--

16 (1) This section shall apply as follows:

17 18 Pa.C.S. § 3922 (relating to theft by deception).

1 18 Pa.C.S. § 3923 (relating to theft by extortion).

2 18 Pa.C.S. § 3926 (relating to theft of services).

3 18 Pa.C.S. § 3927 (relating to theft by failure to
4 make required disposition of funds received).

5 18 Pa.C.S. § 4101 (relating to forgery).

6 18 Pa.C.S. § 4104 (relating to tampering with records
7 or identification).

8 18 Pa.C.S. § 4113 (relating to misapplication of
9 entrusted property and property of government or
10 financial institutions) when the criminal culpability
11 reaches the level of misdemeanor of the second degree.

12 18 Pa.C.S. § 4701 (relating to bribery in official
13 and political matters).

14 18 Pa.C.S. § 4702 (relating to threats and other
15 improper influence in official and political matters).

16 18 Pa.C.S. § 4902 (relating to perjury).

17 18 Pa.C.S. § 4903(a) (relating to false swearing).

18 18 Pa.C.S. § 4904 (relating to unsworn falsification
19 to authorities).

20 18 Pa.C.S. § 4906 (relating to false reports to law
21 enforcement authorities).

22 18 Pa.C.S. § 4909 (relating to witness or informant
23 taking bribe).

24 18 Pa.C.S. § 4910 (relating to tampering with or
25 fabricating physical evidence).

26 18 Pa.C.S. § 4911 (relating to tampering with public
27 records or information).

28 18 Pa.C.S. § 4952 (relating to intimidation of
29 witnesses or victims).

30 18 Pa.C.S. § 4953 (relating to retaliation against

1 witness or victim).

2 18 Pa.C.S. § 5101 (relating to obstructing
3 administration of law or other governmental function).

4 (2) The references to 18 Pa.C.S. §§ 3922, 3923, 3926 and
5 3927 shall apply only when the criminal culpability reaches
6 the level of a misdemeanor of the first degree or higher.

7 (c) Definitions.--As used in this section, the term "public
8 official" or "public employee" shall be as defined in the act of
9 July 8, 1978 (P.L.752, No.140), known as the Public Employee
10 Pension Forfeiture Act.

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