

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 954 Session of  
2001

INTRODUCED BY DeLUCA, CALTAGIRONE, CAPPABIANCA, GEORGE,  
GODSHALL, HARHAI, HERSHEY, HESS, MYERS, PETRARCA, SAYLOR,  
SEMMELE, STEELMAN, STERN, THOMAS, WATSON, C. WILLIAMS,  
J. WILLIAMS AND WILT, MARCH 14, 2001

REFERRED TO COMMITTEE ON AGRICULTURE AND RURAL AFFAIRS,  
MARCH 14, 2001

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania  
2 Consolidated Statutes, increasing the penalties for  
3 agricultural trespassers.

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

6 Section 1. Section 3503(b.2) of Title 18 of the Pennsylvania  
7 Consolidated Statutes is amended to read:

8 § 3503. Criminal trespass.

9 \* \* \*

10 (b.2) Agricultural trespasser.--

11 (1) A person commits an offense if knowing that he is  
12 not licensed or privileged to do so he:

13 (i) enters or remains on any agricultural or other  
14 open lands when such lands are posted in a manner  
15 prescribed by law or reasonably likely to come to the  
16 person's attention or are fenced or enclosed in a manner  
17 manifestly designed to exclude trespassers or to confine

domestic animals; or

(ii) enters or remains on any agricultural or other open lands and defies an order not to enter or to leave that has been personally communicated to him by the owner of the lands or other authorized person.

(2) An offense under this subsection shall be graded as follows:

(i) An offense under paragraph (1)(i) constitutes a misdemeanor of the third degree and is punishable by imprisonment for a term of not more than one year and a fine of not less than [\$250] \$500.

(ii) An offense under paragraph (1)(ii) constitutes a misdemeanor of the second degree and is punishable by imprisonment for a term of not more than two years and a fine of not less than [\$500] \$1,000 nor more than \$5,000.

(3) For the purposes of this subsection, the phrase "agricultural or other open lands" shall mean any land on which agricultural activity or farming as defined in section 3309 (relating to agricultural vandalism) is conducted or any land populated by forest trees of any size and capable of producing timber or other wood products or any other land in an agricultural security area as defined in the act of June 30, 1981 (P.L.128, No.43), known as the Agricultural Area Security Law, or any area zoned for agricultural use.

\* \* \*

Section 2. This act shall apply to all offenses committed after the effective date of this act.

Section 3. This act shall take effect in 60 days.