

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL
No. 1235 Session of
1975

INTRODUCED BY HEPFORD, RHODES, TURNER AND LaMARCA, MAY 6, 1975

REFERRED TO COMMITTEE ON LAW AND JUSTICE, MAY 7, 1975

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, providing for the offenses of gifts to
3 police officers or acceptance of gifts by police officers and
4 penalties for violations.

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

7 Section 1. Title 18, act of November 25, 1970 (P.L.707,
8 No.230), known as the Pennsylvania Consolidated Statutes, added
9 December 6, 1972 (P.L.1482, No.334), is amended by adding a
10 section to read:

11 § 4704. Gifts to police officers, acceptance of gifts by
12 police officers, prohibited.

13 (a) Offense defined.--

14 (1) Whoever, being a police officer performs directly or
15 indirectly any official services or duties, or any other
16 services while on official duty, for any person, association
17 or corporation for compensation, gifts or gratuities
18 therefrom, or requests or receives, directly or indirectly
19 any compensation, gifts or gratuities from any person,

1 association or corporation for his official services, duties
2 or other services while on official duty, commits an offense
3 under this section.

4 (2) Any person, association or corporation who gives or
5 offers to give any compensation, gift or gratuity to a police
6 officer for performing official services or duties or other
7 services while on official duty, is guilty of an offense
8 under this section.

9 (b) Exceptions.--Nothing contained in this section shall
10 prohibit:

11 (1) A police officer from serving writs and other legal
12 process, from accepting public rewards offered for the arrest
13 of persons accused of crime committed outside of the
14 jurisdiction in which they hold office, or from receiving
15 witness fees and mileage in any court of record, as
16 authorized by law.

17 (2) The payment by any person, association or
18 corporation of fees or compensation to any political
19 subdivision for police officers assigned to police
20 exhibitions, athletic contests or other recreational
21 activities.

22 (c) Grading.--Whoever commits an offense under this section
23 commits a misdemeanor of the second degree.

24 (d) Definitions.--As used in this section:

25 "Police officer" means a member of the Pennsylvania State
26 police, Liquor Control Board Enforcement Officer, sheriff,
27 deputy sheriff, constable, deputy constable, detective,
28 policeman or other peace officer of the Commonwealth or
29 political subdivision.

30 Section 2. (a) The following acts or parts of acts, their

1 amendments and supplements, are repealed in so far as
2 inconsistent with the provisions of this act:

3 Section 2008, act of June 23, 1931 (P.L.932, No.317)
4 reenacted and amended June 28, 1951 (P.L.662, No.164), known as
5 "The Third Class City Code."

6 Section 1408, act of June 24, 1931 (P.L.1206, No.331),
7 reenacted and amended May 27, 1949 (P.L.1955, No.569), known as
8 "The First Class Township Code."

9 Section 594, act of May 1, 1933 (P.L.103, No.69), reenacted
10 and amended July 10, 1947 (P.L.1481, No.567), known as "The
11 Second Class Township Code."

12 The act of June 4, 1937 (P.L.1595, No.324), entitled "An act
13 relating to peace officers; providing for the qualifications and
14 appointments of deputy sheriffs; regulating the manner of their
15 selection and compensation; regulating the source of
16 compensation for other peace officers; declaring void certain
17 contracts inconsistent with the provisions hereof; providing
18 penalties; and repealing inconsistent acts."

19 Sections 1210, 1211 and 1212, act of July 28, 1953 (P.L.723,
20 No.230), known as the "Second Class County Code."

21 Sections 1210, 1211 and 1212, act of August 9, 1955 (P.L.323,
22 No.130), known as "The County Code."

23 (b) All other acts or parts of acts inconsistent with the
24 provisions of this act are repealed to the extent of such
25 inconsistency.

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