
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1435

Session of
1977

INTRODUCED BY MACKOWSKI, ZELLER, DIETZ, FREIND, BURD, ZEARFOSS,
HASAY, HONAMAN, PICCOLA, E. Z. TAYLOR AND VROON,
JUNE 30, 1977

REFERRED TO COMMITTEE ON JUDICIARY, JUNE 30, 1977

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, providing for the right of arrest
3 without a warrant for certain offenses.

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

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

9 § 113. Arrest without warrant.

10 (a) General rule.--A law enforcement officer shall have the
11 same right of arrest without a warrant for a graded offense as
12 exists or may hereafter exist in the case of the commission of a
13 felony.

14 (b) Conviction of misdemeanor or summary offense.--An arrest
15 without a warrant for a graded offense shall not be invalidated
16 solely by reason of the fact that defendant was convicted of a
17 misdemeanor or summary offense.

18 (c) Definitions.--As used in this section the following

1 words and phrases shall have the meanings given to them in this
2 subsection:

3 "Graded offense." An offense defined by this title or by any
4 other statute which:

5 (1) is graded into two or more classes of offenses as
6 provided in section 106 (relating to classes of offenses);
7 and

8 (2) includes either a felony of the first, second or
9 third degree as one of the grades into which the offense is
10 classified in addition to any lower grades.

11 "Law enforcement officer." Any police officer or other
12 person who by virtue of his office or public employment is
13 vested by law with the power or duty to make arrests for
14 offenses, whether that power or duty extends to all offenses or
15 is limited to specific offenses.

16 Section 2. This act shall take effect immediately.