

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL
No. 1681 Session of
1981

INTRODUCED BY PICCOLA, JUNE 22, 1981

REFERRED TO COMMITTEE ON JUDICIARY, JUNE 22, 1981

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, providing for the detention of
3 trespassers for identification purposes.

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

6 Section 1. Section 3503(b) of Title 18, act of November 25,
7 1970 (P.L.707, No.230), known as the Pennsylvania Consolidated
8 Statutes, is amended to read:

9 § 3503. Criminal trespass.

10 * * *

11 (b) Defiant trespasser.--

12 (1) A person commits an offense if, knowing that he is
13 not licensed or privileged to do so, he enters or remains in
14 any place as to which notice against trespass is given by:

15 (i) actual communication to the actor; or

16 (ii) posting in a manner prescribed by law or
17 reasonably likely to come to the attention of intruders;

18 or

1 (iii) fencing or other enclosure manifestly designed
2 to exclude intruders.

3 (2) An offense under this subsection constitutes a
4 misdemeanor of the third degree if the offender defies an
5 order to leave personally communicated to him by the owner of
6 the premises or other authorized person. Otherwise it is a
7 summary offense.

8 (3) A person who owns land and who has posted said land
9 against hunting or trapping and who has probable cause to
10 believe that one or both of these activities are being
11 conducted on the premises may detain the suspect in a
12 reasonable manner for a reasonable time on or off the
13 premises for the purpose of requiring the suspect to identify
14 himself, or to verify such identification. This detention
15 shall not impose civil or criminal liability upon the person
16 so detaining.

17 Section 2. This act shall take effect immediately.