

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

## SENATE BILL

No. 1279 Session of  
1984INTRODUCED BY ROSS, STOUT, ANDREZESKI, HELFRICK, ROMANELLI,  
O'CONNELL AND KELLEY, MARCH 5, 1984

AS AMENDED ON THIRD CONSIDERATION, JUNE 12, 1984

## AN ACT

1 ~~Prohibiting false reports relating to certain disasters and to~~ <—  
2 ~~the operation of power generating facilities; and fixing~~  
3 ~~penalties.~~

4 AMENDING TITLE 18 (CRIMES AND OFFENSES) OF THE PENNSYLVANIA <—  
5 CONSOLIDATED STATUTES, PROVIDING FOR AN OFFENSE RELATING TO  
6 FALSIFICATION.

7 The General Assembly of the Commonwealth of Pennsylvania  
8 hereby enacts as follows:

9 ~~Section 1. Short title.~~ <—

10 ~~This act shall be known and may be cited as the Public~~  
11 ~~Utility Misinformation Act.~~

12 ~~Section 2. Definitions.~~

13 ~~The following words and phrases when used in this act shall~~  
14 ~~have the meanings given to them in this section unless the~~  
15 ~~context clearly indicates otherwise:~~

16 ~~"Agency." A branch office or regional office operated by the~~  
17 ~~agency.~~

18 ~~Section 3. False reports.~~

19 ~~(a) Emergencies. An individual commits a felony of the~~

~~second degree if the individual knowingly provides false information to any State agency or political subdivision during the occurrence of or relating to a disaster as defined in 35 Pa.C.S. Part V (relating to emergency management services).~~

~~(b) Power generating facilities. An individual commits a felony of the second degree if the individual knowingly provides false information to any agency of the Federal or State government relating to or regarding any aspect of the operation of a power generating facility which may adversely affect the health, welfare or safety of the residents of Pennsylvania.~~

~~(c) Operation of facility after false report. An individual commits a felony of the second degree if the individual operates any power generating facility after providing false information which is prohibited by subsection (a) or (b). For purposes of this subsection, the time within which an action must be commenced by a prosecuting authority shall be computed from the time at which the falsity of the information provided is discovered.~~

~~(d) Conspiracy. An individual commits a felony of the third degree if the individual agrees with another individual or individuals to engage in any conduct prohibited by subsection (a), (b) or (c) or agrees to aid, assist or abet another individual or individuals in planning, attempting or solicitation to attempt such conduct as prohibited by subsection (a), (b) or (c).~~

~~(e) Penalties.—~~

~~(1) An individual who is guilty of violating subsection (a), (b) or (c) shall be sentenced to a fine of not less than \$10,000 or imprisonment of not less than six years, or both.~~

~~(2) An individual who is guilty of violating subsection~~

1     ~~(d) shall be sentenced to a fine of not less than \$5,000 or~~  
2     ~~imprisonment of not less than two years, or both.~~

3     SECTION 1.   TITLE 18 OF THE PENNSYLVANIA CONSOLIDATED  
4     STATUTES IS AMENDED BY ADDING A SECTION TO READ:

5     § 4904.1.   FALSIFICATION TO COMMONWEALTH AGENCIES AND POLITICAL  
6     SUBDIVISIONS DURING DISASTERS.

7     (A)   OFFENSE GENERALLY.--AN INDIVIDUAL COMMITS A FELONY OF  
8     THE SECOND DEGREE IF, DURING THE OCCURRENCE OF A DISASTER  
9     EMERGENCY WHICH IS DECLARED BY THE APPROPRIATE AUTHORITY AS  
10    PROVIDED FOR IN 35 PA.C.S. PART V (RELATING TO EMERGENCY  
11    MANAGEMENT SERVICES), THE INDIVIDUAL KNOWINGLY PROVIDES FALSE  
12    INFORMATION RELATED TO THE DISASTER EMERGENCY TO A COMMONWEALTH  
13    AGENCY OR POLITICAL SUBDIVISION.

14    (B)   OFFENSE RELATING TO POWER GENERATING FACILITIES.--AN  
15    INDIVIDUAL COMMITS A FELONY OF THE SECOND DEGREE IF THE  
16    INDIVIDUAL KNOWINGLY PROVIDES FALSE INFORMATION TO ANY AGENCY OF  
17    THE FEDERAL OR STATE GOVERNMENT RELATING TO OR REGARDING ANY  
18    ASPECT OF THE OPERATION OF A POWER GENERATING FACILITY WHICH MAY  
19    ADVERSELY AFFECT THE HEALTH, WELFARE OR SAFETY OF THE RESIDENTS  
20    OF THIS COMMONWEALTH.

21    (C)   PENALTY.--AN INDIVIDUAL WHO IS GUILTY OF VIOLATING THE  
22    PROVISIONS OF SUBSECTION (A) OR (B) SHALL BE SENTENCED TO PAY A  
23    FINE OF NOT LESS THAN \$10,000 OR TO UNDERGO IMPRISONMENT FOR NOT  
24    LESS THAN SIX YEARS, OR BOTH.

25    Section 4 2.   Effective date.

26    This act shall take effect in 60 days.