

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2284 Session of  
1993

INTRODUCED BY GODSHALL, GORDNER, NAILOR, COLAIZZO, CIVERA,  
DeLUCA, COY, BROWN, CARONE AND STAIRS, NOVEMBER 24, 1993

REFERRED TO COMMITTEE ON JUDICIARY, NOVEMBER 24, 1993

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania  
2 Consolidated Statutes, defining the offenses of unlawful  
3 duplication of keys or key cards; and providing a penalty.

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

6 Section 1. Title 18 of the Pennsylvania Consolidated  
7 Statutes is amended by adding a section to read:

8 § 5112. Unlawful duplication of keys or key cards.

9 (a) Offense defined.--

10 (1) A person commits an offense if he, without  
11 permission from authorized personnel, duplicates,  
12 manufactures or produces, or procures the duplication,  
13 manufacture or production of, a key or key card from a key or  
14 key card which has imprinted on it the following:

15 (i) The words "do not duplicate," "unlawful to  
16 duplicate" or "illegal to duplicate"; and

17 (ii) A symbol or other marking indicating ownership  
18 by the Commonwealth, an institution of the State System

1       of Higher Education, a State-related institution, a  
2       State-aided institution, a political subdivision or a  
3       municipal authority of this Commonwealth.

4       (2) A person commits an offense if he knowingly  
5       possesses a key or key card which has been duplicated,  
6       manufactured or produced in violation of this section.

7       (b) Application.--This section shall apply only to keys or  
8       key cards owned by the Commonwealth, an institution of the State  
9       System of Higher Education, a State-related institution, a  
10       State-aided institution, a political subdivision or a municipal  
11       authority of this Commonwealth. As used in this section, the  
12       term "State-related institution" means The Pennsylvania State  
13       University, the University of Pittsburgh, Temple University,  
14       Lincoln University and their branch campuses, and any  
15       institution which is hereafter designated "State-related" by the  
16       Commonwealth.

17       (c) Grading.--An offense under this section is a summary  
18       offense for the first offense. For the second or subsequent  
19       offense, the offense is a misdemeanor of the third degree.

20       (d) Prior offenses.--Prior to the commencement of trial or  
21       entry of a plea of a defendant 16 years of age or older accused  
22       of the summary offense of unlawful duplication of keys or key  
23       cards, the issuing authority shall notify the Pennsylvania State  
24       Police for determination as to whether or not the defendant  
25       previously has been convicted of the offense of unlawful  
26       duplication of keys or key cards. The results of this  
27       determination shall be forwarded to the police department if the  
28       department is the prosecutor or to the issuing authority if the  
29       prosecutor is other than a police officer. The issuing authority  
30       shall not proceed with a trial or plea in summary cases until in

1 receipt of the determination made by the Pennsylvania State  
2 Police. The issuing authority shall use the information obtained  
3 solely for the purpose of grading the offense under subsection  
4 (b).

5 (e) Fingerprinting.--Upon conviction, the issuing authority  
6 shall order the defendant to submit within five days of order  
7 for fingerprinting by the municipal police of the jurisdiction  
8 in which the offense allegedly was committed or by the  
9 Pennsylvania State Police.

10 (f) Defense.--It is a defense to prosecution under this  
11 section that a person in the business of duplicating,  
12 manufacturing or producing keys or key cards did duplicate,  
13 manufacture or produce a key or key card in reliance upon  
14 written authorization presented on official letterhead  
15 stationery of the owner of the key or key card.

16 Section 2. This act shall take effect in 60 days.