

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2357 Session of
2000

INTRODUCED BY FREEMAN, BARRAR, BELARDI, BELFANTI, CIVERA,
M. COHEN, CORRIGAN, COSTA, DALEY, DeLUCA, DeWEESE, FRANKEL,
GEORGE, GRUCELA, HALUSKA, HARHAI, HORSEY, LAUGHLIN, MELIO,
PETRARCA, PISTELLA, READSHAW, ROONEY, ROSS, SAINATO, SAYLOR,
SCHULER, SOLOBAY, STABACK, THOMAS, TIGUE, WILLIAMS, WOGAN,
WOJNAROSKI, YOUNGBLOOD AND YUDICHAK, MARCH 16, 2000

REFERRED TO COMMITTEE ON JUDICIARY, MARCH 16, 2000

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, further providing for the definition
3 of "public safety agency"; and making an editorial change.

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

6 Section 1. Section 7511(c) and the definition of "public
7 safety agency" in subsection (f) of Title 18 of the Pennsylvania
8 Consolidated Statutes are amended to read:

9 § 7511. Control of alarm devices and automatic dialing devices.

10 * * *

11 (c) False alarms prohibited.--

12 (1) A person that owns, uses or possesses an alarm
13 device or automatic dialing device may not, after causing or
14 permitting three false alarms to occur in a consecutive 12-
15 month period, cause or permit a subsequent false alarm to
16 occur in the same consecutive 12-month period. A person that

1 violates this paragraph commits a summary offense and shall,
2 upon conviction, be sentenced to pay a fine of not more than
3 \$300.

4 (2) Venue for prosecution of an offense under this
5 subsection shall lie at any of the following places:

6 (i) Where the alarm originated.

7 (ii) Where the alarm was received by the:

8 (A) public [service] safety agency; or

9 (B) third person designated to notify the public
10 service agency.

11 (3) Notwithstanding 42 Pa.C.S. § 3733 (relating to
12 deposits into account) or any other law, the disposition of
13 fines shall be as follows:

14 (i) The fine shall be paid to the municipality if
15 all of the following apply:

16 (A) The public safety agency which responded to
17 the false alarm serves the municipality.

18 (B) The prosecution is initiated by the public
19 safety agency under clause (A) or by the
20 municipality.

21 (ii) The full amount of the fine shall be paid to
22 the Commonwealth if all of the following apply:

23 (A) The Pennsylvania State Police is the public
24 safety agency which responded to the false alarm.

25 (B) The prosecution is initiated by the
26 Pennsylvania State Police.

27 (C) There is no prosecution under subparagraph
28 (i).

29 * * *

30 (f) Definitions.--As used in this section, the following

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

3 * * *

4 "Public safety agency." The Pennsylvania State Police or any
5 municipal police or fire department or any emergency medical
6 service provider.

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