

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 531 Session of
2003

INTRODUCED BY PISTELLA, BEBKO-JONES, CAPPELLI, CASORIO, CRUZ,
GEIST, KELLER, PALLONE, READSHAW, ROONEY, SHANER, SOLOBAY AND
WALKO, FEBRUARY 26, 2003

REFERRED TO COMMITTEE ON JUDICIARY, FEBRUARY 26, 2003

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, defining the offense of criminal gang
3 activity; and imposing penalties.

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 § 2717. Criminal gang activity.

9 (a) Offense defined.--A person who knowingly or
10 intentionally actively participates in a criminal gang commits
11 criminal gang activity.

12 (b) Grading.--Criminal gang activity constitutes a:

13 (1) Misdemeanor of the first degree when the offense is
14 a first offense.

15 (2) Felony of the third degree when the offense is a
16 second or subsequent offense.

17 (c) Definition.--As used in this section, the term "criminal
18 gang" means a group with at least five members that

1 specifically:

2 (1) promotes, sponsors, assists or participates in; or

3 (2) requires as a condition of membership or continued
4 membership;

5 the commission of a felony or an act that would be a felony if
6 committed by an adult or an offense under section 2701 (relating
7 to simple assault).

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