

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 342 Session of
2005

INTRODUCED BY GREENLEAF, LEMMOND, O'PAKE, RAFFERTY AND
C. WILLIAMS, MARCH 3, 2005

REFERRED TO JUDICIARY, MARCH 3, 2005

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, prohibiting the simulation of legal
3 process and related acts and the use of unofficial license
4 plates; and imposing penalties.

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

7 Section 1. Title 18 of the Pennsylvania Consolidated
8 Statutes is amended by adding sections to read:

9 § 4916. Simulated legal process; impersonating public official
10 or legal tribunal; hindering public official.

11 (a) Simulated legal process.--A person who simulates legal
12 process, including, but not limited to, actions affecting title
13 to real or personal property, indictments, subpoenas, warrants,
14 injunctions, liens, orders, judgments or any legal documents or
15 proceedings, knowing or having reason to know that the contents
16 of the documents or proceedings or basis for the action to be
17 fraudulent commits a misdemeanor of the second degree.

18 (b) Impersonating public official or legal tribunal.--A

1 person who deliberately impersonates or falsely acts as a public
2 official or legal tribunal, including, but not limited to, a
3 judge, prosecutor, sheriff, deputy, constable or other court
4 personnel or law enforcement authority in connection with or
5 relating to any legal process affecting any person or property
6 or otherwise takes any action under color of law against any
7 person or property, commits a misdemeanor of the second degree.

8 (c) Hindering public official.--A person who falsely under
9 color of law attempts to influence, intimidate or hinder a
10 public official or law enforcement officer in the discharge of
11 his official duties by threat of or actual physical violence,
12 harassment, through simulated legal process or by other unlawful
13 act, commits a misdemeanor of the second degree.

14 (d) Exceptions.--

15 (1) Nothing in this section shall make unlawful an act
16 of a law enforcement officer, public official or legal
17 tribunal which is performed under lawful authority.

18 (2) Nothing in this section shall prohibit persons from
19 assembling freely to express opinions or designate group
20 affiliation or association.

21 (3) Nothing in this section shall prohibit or in any way
22 limit a person's lawful and legitimate access to the courts
23 or prevent a person from instituting or responding to
24 legitimate and lawful legal process.

25 (e) Definitions.--As used in this section, the following
26 words and phrases shall have the meanings given to them in this
27 subsection:

28 "Legal process." A document or order issued by a court or
29 other legal tribunal filed or recorded for the purpose of
30 exercising jurisdiction or presenting a claim against a person

1 or property for the purpose of directing a person to appear
2 before a court or other legal tribunal or for the purpose of
3 directing a person to perform or refrain from performing a
4 specified act. The term includes, but is not limited to, a
5 summons, lien, complaint, warrant, injunction, writ, notice,
6 pleading, subpoena or order.

7 "Legal tribunal." A court, magisterial district judge or
8 other judicial officer vested with the power to enter an order
9 in a matter. The term includes a government unit when performing
10 quasi-judicial functions.

11 § 4917. Unofficial license plates.

12 A person who operates a vehicle with an unofficial license
13 plate, not authorized under 75 Pa.C.S. (relating to vehicles) or
14 the law of another jurisdiction, commits a misdemeanor of the
15 third degree.

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