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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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**HOUSE BILL**

**No. 2354** Session of  
2008

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INTRODUCED BY PAYNE, BAKER, BELFANTI, BEYER, CAPPELLI,  
CREIGHTON, FLECK, GINGRICH, GRUCELA, M. KELLER, KOTIK, MAJOR,  
R. MILLER, MURT, PHILLIPS, PYLE, READSHAW, SAYLOR, SIPTROTH,  
K. SMITH AND SOLOBAY, MARCH 12, 2008

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REFERRED TO COMMITTEE ON JUDICIARY, MARCH 12, 2008

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AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania  
2 Consolidated Statutes, further providing for arson  
3 endangering property.

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

6 Section 1. Section 3301(c) and (j) of Title 18 of the  
7 Pennsylvania Consolidated Statutes are amended to read:

8 § 3301. Arson and related offenses.

9 \* \* \*

10 (c) Arson endangering property.--A person commits a felony  
11 of the second degree if he intentionally starts a fire or causes  
12 an explosion, whether on his own property or that of another, or  
13 if he aids, counsels, pays or agrees to pay another to cause a  
14 fire or explosion, and if:

15 (1) he commits the act with intent of destroying or  
16 damaging a building or unoccupied structure of another;

17 (2) he thereby recklessly places an inhabited building

1 or occupied structure of another in danger of damage or  
2 destruction; [or]

3 (3) he commits the act with intent of destroying or  
4 damaging any property, whether his own or of another, to  
5 collect insurance for such loss[.]; or

6 (4) he thereby recklessly endangers another person  
7 including, but not limited to, an emergency responder.

8 \* \* \*

9 (j) Definitions.--As used in this section the following  
10 words and phrases shall have the meanings given to them in this  
11 subsection:

12 "Occupied structure." Any structure, vehicle or place  
13 adapted for overnight accommodation of persons or for carrying  
14 on business therein, whether or not a person is actually  
15 present. If a building or structure is divided into separately  
16 occupied units, any unit not occupied by the actor is an  
17 occupied structure of another.

18 "Property of another." A building or other property, whether  
19 occupied or unoccupied and whether real or personal, in which a  
20 person other than the actor has an interest which the actor has  
21 no authority to defeat or impair, even though the actor may also  
22 have an interest in the building or property.

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