
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2249 Session of
2012

INTRODUCED BY WATSON, PETRI, MARSICO, BAKER, BOYD, D. COSTA,
CREIGHTON, ELLIS, FLECK, GEIST, GILLESPIE, GINGRICH, GROVE,
HARPER, HARRIS, HELM, HESS, KNOWLES, MAJOR, MANN, O'NEILL,
PEIFER, PICKETT, PRESTON, READSHAW, SONNEY, STURLA, SWANGER,
TAYLOR, TRUITT, VULAKOVICH AND HICKERNELL, MARCH 13, 2012

REFERRED TO COMMITTEE ON JUDICIARY, MARCH 13, 2012

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, defining the offense of online
3 impersonation; and prescribing 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 § 4121. Online impersonation.

9 (a) Offense defined.--A person commits the offense of online
10 impersonation if he uses the name, persona or identifying
11 information of another person to do any of the following without
12 obtaining the other person's consent and with the intent to
13 deceive, harm, defraud, intimidate or threaten any person:

14 (1) create a web page;

15 (2) post one or more messages on a commercial social
16 networking site; or

17 (3) send an electronic mail, instant message, text

1 message or similar communication.

2 (b) Grading.--An offense under this section constitutes a
3 misdeemeanor of the third degree. Each violation constitutes a
4 separate offense.

5 (c) Nonapplicability.--The provisions of this section shall
6 not be applicable to law enforcement officers acting in the
7 course and legitimate scope of their employment.

8 (d) Definitions.--As used in this section, the following
9 words and phrases shall have the meanings given to them in this
10 subsection unless the context clearly indicates otherwise:

11 "Commercial social networking site." A business,
12 organization or other similar entity that operates an Internet
13 website and permits persons to become registered users for the
14 purpose of establishing personal relationships with other users
15 through direct or real-time communication with other users or
16 the creation of web pages or profiles available to the public or
17 to other users. The term does not include an electronic mail
18 program or a message board program.

19 "Identifying information." Any document, photographic,
20 pictorial or computer image of another person or any fact used
21 to establish identity, including, but not limited to, a name,
22 birth date, Social Security number, driver's license number,
23 nondriver governmental identification number, telephone number,
24 checking account number, savings account number, student
25 identification number, employee or payroll number or electronic
26 signature.

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