

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 690

Session of
1975

INTRODUCED BY MESSRS. ZORD, CESSAR AND FISHER, MARCH 10, 1975

AS AMENDED ON SECOND CONSIDERATION, IN SENATE, APRIL 6, 1976

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, redefining the offense of robbery ~~and~~, <—
3 adding an additional grade for the offense AND AMENDING THE <—
4 OFFENSE OF THEFT BY EXTORTION.

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

7 Section 1. ~~Section~~ SECTIONS 3701 AND 3923 of Title 18, act <—
8 of November 25, 1970 (P.L.707, No.230)), known as the
9 Pennsylvania Consolidated Statutes, added December 6, 1972
10 (P.L.1482, No.334), ~~is~~ ARE amended to read: <—

11 § 3701. Robbery.

12 (a) Offense defined.--

13 (1) A person is guilty of robbery if, in the course of
14 committing a theft, he:

15 (i) inflicts serious bodily injury upon another;

16 (ii) threatens another with or intentionally puts
17 him in fear of immediate serious bodily injury; [or]

18 (iii) commits or threatens immediately to commit any
19 felony of the first or second degree; ~~or~~ <—

1 (IV) INFLECTS BODILY INJURY UPON ANOTHER OR <—
2 THREATENS ANOTHER WITH OR INTENTIONALLY PUTS HIM IN FEAR
3 OF IMMEDIATE BODILY INJURY; OR

4 ~~(iv)~~ (V) physically takes or removes property from <—
5 the person of another by force however slight.

6 (2) An act shall be deemed "in the course of committing
7 a theft" if it occurs in an attempt to commit theft or in
8 flight after the attempt or commission.

9 (b) Grading.--Robbery under subsection (a)(1)(iv) is a
10 felony of the ~~third~~ SECOND degree; ROBBERY UNDER SUBSECTION <—
11 (A)(1)(V) IS A FELONY OF THE THIRD DEGREE; otherwise, it is a
12 felony of the first degree.

13 § 3923. THEFT BY EXTORTION. <—

14 (A) OFFENSE DEFINED.--A PERSON IS GUILTY OF THEFT IF HE
15 INTENTIONALLY OBTAINS OR WITHHOLDS PROPERTY OF ANOTHER BY
16 THREATENING TO:

17 (1) [INFLECT BODILY INJURY ON ANYONE OR] COMMIT ANOTHER
18 CRIMINAL OFFENSE;

19 (2) ACCUSE ANYONE OF A CRIMINAL OFFENSE;

20 (3) EXPOSE ANY SECRET TENDING TO SUBJECT ANY PERSON TO
21 HATRED, CONTEMPT OR RIDICULE;

22 (4) TAKE OR WITHHOLD ACTION AS AN OFFICIAL, OR CAUSE AN
23 OFFICIAL TO TAKE OR WITHHOLD ACTION;

24 (5) BRING ABOUT OR CONTINUE A STRIKE BOYCOTT OR OTHER
25 COLLECTIVE UNOFFICIAL ACTION, IF THE PROPERTY IS NOT DEMANDED
26 OR RECEIVED FOR THE BENEFIT OF THE GROUP IN WHOSE INTEREST
27 THE ACTOR PURPORTS TO ACT;

28 (6) TESTIFY OR PROVIDE INFORMATION OR WITHHOLD TESTIMONY
29 OR INFORMATION WITH RESPECT TO THE LEGAL CLAIM OR DEFENSE OF
30 ANOTHER; OR

1 (7) INFLECT ANY OTHER HARM WHICH WOULD NOT BENEFIT THE
2 ACTOR.

3 (B) DEFENSES.--IT IS A DEFENSE TO PROSECUTION BASED ON
4 PARAGRAPHS (A)(2), (A)(3) OR (4) OF THIS SECTION THAT THE
5 PROPERTY OBTAINED BY THREAT OF ACCUSATION, EXPOSURE, LAWSUIT OR
6 OTHER INVOCATION OF OFFICIAL ACTION WAS HONESTLY CLAIMED AS
7 RESTITUTION OR INDEMNIFICATION FOR HARM DONE IN THE
8 CIRCUMSTANCES TO WHICH SUCH ACCUSATION, EXPOSURE, LAWSUIT OR
9 OTHER OFFICIAL ACTION RELATES, OR AS COMPENSATION FOR PROPERTY
10 OR LAWFUL SERVICES.

11 Section 2. This act shall take effect immediately.