

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL
No. 1692 Session of
1977

INTRODUCED BY SCIRICA, YOHN AND MEBUS, OCTOBER 3, 1977

REFERRED TO COMMITTEE ON JUDICIARY, OCTOBER 3, 1977

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, making an editorial change in a
3 section heading relating to theft.

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

6 Section 1. Section 3932 of Title 18, act of November 25,
7 1970 (P.L.707, No.230), known as the Pennsylvania Consolidated
8 Statutes, added August 8, 1977 (No.49), is amended to read:

9 § 3932. Theft or conversion of leased property.

10 (a) Offense defined.--A person who obtains personal property
11 under an agreement for the lease or rental of the property is
12 guilty of theft if he intentionally deals with the property as
13 his own.

14 (b) Definition.--As used in this section, a person "deals
15 with the property as his own" if he sells, secretes, destroys,
16 converts to his own use or otherwise disposes of the property.

17 (c) Presumption.--A person shall be prima facie presumed to
18 have intent if he:

19 (1) signs the lease or rental agreement with a name

1 other than his own and fails to return the property within
2 the time specified in the agreement; or

3 (2) fails to return the property to its owner within
4 seven days after a written demand to return the property is
5 delivered by registered or certified mail to the person's
6 last known address.

7 (d) Exception.--This section shall not apply to secured
8 transactions as defined in the act of April 6, 1953 (P.L.3,
9 No.1), known as the "Uniform Commercial Code."

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