

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 737 Session of
1993

INTRODUCED BY GERLACH, VEON, E. Z. TAYLOR, BROWN, BARLEY, GEIST,
HUGHES, CIVERA, O'BRIEN, GLADECK, ADOLPH, KASUNIC, TRICH,
BUNT, FAIRCHILD, FARGO, REINARD, MARSICO, MASLAND, CORRIGAN,
BELFANTI, ARMSTRONG, KENNEY, PITTS, J. TAYLOR, RAYMOND,
ULIANA, VANCE, CLYMER, SEMMEL, DeLUCA, MELIO, SCHULER,
TRELLO, MILLER, SCHEETZ, BLAUM, CLARK, L. I. COHEN,
HENNESSEY, TOMLINSON, HECKLER, HESS, HARLEY, FLICK AND ALLEN,
MARCH 22, 1993

REFERRED TO COMMITTEE ON JUDICIARY, MARCH 22, 1993

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, prohibiting the criminal use of
3 communication facilities.

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 § 7509. Criminal use of communication facility.

9 (a) Offense defined.--A person commits a felony of the third
10 degree if that person uses a communication facility to commit,
11 cause or facilitate the commission or the attempt thereof of any
12 crime which constitutes a felony under this title or under the
13 act of April 14, 1972 (P.L.233, No.64), known as The Controlled
14 Substance, Drug, Device and Cosmetic Act. Every instance where
15 the communication facility is utilized constitutes a separate

1 offense under this section.

2 (b) Penalty.--A person who violates this section shall, upon
3 conviction, be sentenced to pay a fine of not more than \$15,000
4 or to imprisonment for not more than seven years, or both.

5 (c) Definition.--As used in this section, the term
6 "communication facility" means a public or private
7 instrumentality used or useful in the transmission of signs,
8 signals, writing, images, sounds, data or intelligence of any
9 nature transmitted, in whole or in part, including, but not
10 limited to, telephone, wire, radio, electromagnetic,
11 photoelectronic or photo-optical systems or the mail.

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