

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 110 Session of
1995

INTRODUCED BY D. R. WRIGHT, COY, DeLUCA, PESCI, CIVERA,
READSHAW, ROBERTS, ROONEY, STABACK, TRELLO, WOGAN AND STERN,
JANUARY 19, 1995

REFERRED TO COMMITTEE ON JUDICIARY, JANUARY 19, 1995

AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the
2 Pennsylvania Consolidated Statutes, providing for conversion
3 of telecommunication service.

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

6 Section 1. Chapter 83 of Title 42 of the Pennsylvania
7 Consolidated Statutes is amended by adding a subchapter to read:

8 CHAPTER 83

9 PARTICULAR RIGHTS AND IMMUNITIES

10 * * *

11 SUBCHAPTER I

12 CONVERSION OF TELECOMMUNICATION SERVICE

13 Sec.

14 8393. Cause of action.

15 § 8393. Cause of action.

16 (a) Establishment.--A telecommunication service provider
17 aggrieved by a violation of 18 Pa.C.S. § 910 (relating to
18 manufacture, distribution or possession of devices for theft of

1 telecommunications services) or 3926 (relating to theft of
2 services) may bring an action against the offender in a court of
3 competent jurisdiction regardless of criminal disposition of the
4 offense.

5 (b) Relief.--A telecommunication service provider who
6 prevails in an action under subsection (a) is entitled to all of
7 the following:

8 (1) Compensatory and punitive damages.

9 (2) An injunction and other appropriate equitable
10 relief.

11 (3) Reasonable investigation expenses.

12 (4) Costs of suit and reasonable attorney fees.

13 (c) Definition.--As used in this section, the term
14 "telecommunication service provider" means a person or entity
15 which provides telecommunication service. The term includes, but
16 is not limited to, a cellular, paging or other wireless
17 communications company or other person or entity which, for a
18 fee, supplies the facility, cell site, mobile telephone
19 switching office or other equipment or telecommunication
20 service.

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