

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL**No. 282** Session of
1995

INTRODUCED BY HECKLER, TOMLINSON, SALVATORE, JUBELIRER, GERLACH,
WENGER, PUNT, BRIGHTBILL, ULIANA, PORTERFIELD, BAKER, FISHER,
HELFRICK, PETERSON, MADIGAN, RHOADES, HART, DAWIDA, DELP,
STAPLETON, KASUNIC, ANDREZESKI, O'PAKE AND AFFLERBACH,
JANUARY 24, 1995

SENATOR PETERSON, PUBLIC HEALTH AND WELFARE, AS AMENDED,
MARCH 1, 1995

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, further providing for buying or
3 exchanging Federal food order coupons, stamps or
4 authorization cards and for fraudulent traffic in food
5 orders.

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

8 Section 1. Sections 7313 and 7314 of Title 18 of the
9 Pennsylvania Consolidated Statutes are amended to read:

10 § 7313. Buying or exchanging Federal food order coupons, stamps
11 or authorization cards.

12 (a) Offense defined.--A person [is guilty of a misdemeanor
13 of the third degree] commits the offense of buying or exchanging
14 Federal food order coupons, stamps or authorization cards if he,
15 not being authorized to do so by the United States Department of
16 Agriculture, [shall buy or exchange] buys or exchanges Federal
17 food order coupons, stamps or authorization cards for currency,

1 or if he [shall accept or cause] accepts or causes to be
2 accepted Federal food order coupons, stamps or authorization
3 cards in exchange for any merchandise or article except food, as
4 defined by the United States Department of Agriculture, or
5 Federal food order coupons, stamps or authorization cards in
6 exchange for merchandise or articles, not defined by the United
7 States Department of Agriculture to be surplus foods.

8 (b) Grading.--A person who violates this section commits a
9 felony of the third degree if the amount involved is \$1,000 or
10 more. If the amount involved is less than \$1,000, the person
11 commits a misdemeanor of the first degree. Amounts involved in
12 buying or exchanging Federal food order coupons, stamps or
13 authorization cards committed pursuant to one scheme or course
14 of conduct, whether from the same person or several persons,
15 shall be aggregated in determining the grade of the offense.

16 § 7314. Fraudulent traffic in food orders.

17 (a) Offense defined.--A person [is guilty of a summary
18 offense] commits the offense of fraudulent traffic in food
19 orders if he, whether acting for himself or for another,
20 directly or indirectly, furnishes or delivers to any person
21 money, merchandise, or anything other than food, on or in
22 exchange for a food order, or furnishes or delivers food on or
23 in exchange for a food order to any person, other than the
24 original recipient of the order, or in quantities or for prices
25 other than those itemized on the food order at the time the food
26 is furnished or delivered.

27 (a.1) Grading.--A person who violates this section commits a
28 felony of the third degree if the amount involved is \$1,000 or
29 more. If the amount involved is less than \$1,000, the person
30 commits a misdemeanor of the first degree. Amounts involved in

1 fraudulent traffic in food orders committed pursuant to one
2 scheme or course of conduct, whether from the same person or
3 several persons, shall be aggregated in determining the grade of
4 the offense.

5 (b) Additional penalty.--In addition to the penalties
6 otherwise prescribed, the defendant shall also be [adjudged] <—
7 ORDERED to pay to the agency which shall have issued such food <—
8 order, the face amount thereof.

9 (c) Exception.--Subsection (a) of this section shall not
10 apply to the negotiation of a food order after food to the full
11 amount of the order shall have been furnished thereon to the
12 original recipient of the order.

13 (d) Definition.--As used in this section, the term "food
14 order" means any order issued by or under the authority of any
15 public relief or assistance agency, authorizing the furnishing
16 and delivery of food to any person therein named or described.

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