
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL
No. 1340 Session of
2003

INTRODUCED BY PALLONE, BELFANTI, BLAUM, BROWNE, CIVERA, COSTA,
COY, GILLESPIE, GEORGE, GOODMAN, GRUCELA, HARHAI, HENNESSEY,
JOSEPHS, LAUGHLIN, LEACH, LEDERER, LESCOVITZ, PAYNE,
PHILLIPS, PISTELLA, READSHAW, SAINATO, SHANER, TANGRETTI,
WALKO, WANSACZ, WASHINGTON, WOJNAROSKI AND YOUNGBLOOD,
MAY 6, 2003

REFERRED TO COMMITTEE ON JUDICIARY, MAY 6, 2003

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, providing for the offenses of
3 terrorism, soliciting or providing support for an act of
4 terrorism and hindering prosecution for an act of terrorism
5 and for penalties.

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

8 Section 1. This act shall be known and may be cited as the
9 Anti-Terrorism Act.

10 Section 2. Title 18 of the Pennsylvania Consolidated
11 Statutes is amended by adding sections to read:

12 § 2717. Terrorism.

13 (a) Offense.--A person commits the offense of terrorism if,
14 with the intent to intimidate or coerce a civilian population,
15 influence the policy of a government by intimidation or
16 coercion, or affect the conduct of a government by mass
17 destruction, assassination or kidnapping, he commits a specified

offense under this part that involves a violent act or an act dangerous to human life, including an attempt or conspiracy to commit any such offense.

(b) Grading and penalty.--If the specified offense is a misdemeanor or a felony of the third or second degree, an offense under this section shall be classified one degree higher in the classification specified in section 106 (relating to classes of offenses) than the classification of the specified offense. If the specified offense is a felony of the first degree, a person convicted of an offense under this section shall be sentenced to a term of imprisonment fixed by the court at not more than 40 years and may be sentenced to pay a fine of not more than \$50,000. If the specified offense resulted in the death of a person other than one of the participants, sentencing shall be in accordance with 42 Pa.C.S. § 9711 (relating to sentencing procedure for murder of the first degree).

(c) Application of section.--This section shall not apply to conduct by a party to a labor dispute as defined in the act of June 2, 1937 (P.L.1198, No.308), known as the Labor Anti-Injunction Act, or to any constitutionally protected activity.

(d) Definitions.--As used in this section, the following words and phrases shall have the meanings given to them in this subsection:

"Dangerous to human life." An act which is intended to or likely to cause death or serious bodily injury.

"Mass destruction." An act which is intended to or likely to destroy or cause serious damage to another person or persons, transportation-related infrastructure or facilities, energy-related infrastructure or facilities, public or private buildings, places of public accommodation or public works by

1 explosion, fire, flood, avalanche, collapse and release of
2 poison gas, radioactive material or other harmful substance or
3 by any other means causing potential widespread death, injury or
4 damage.

5 § 2718. Soliciting or providing support for terrorism and
6 terrorist organizations.

7 (a) Offense.--A person commits the offense of soliciting or
8 providing support for terrorism or a terrorist organization
9 when, with the intent that the material support or resources
10 will be used, in whole or in part, to plan, prepare, carry out
11 or aid in terrorism or the concealment of, or an escape from,
12 terrorism, he raises, solicits, collects or provides material
13 support or resources.

14 (b) Grading.--Notwithstanding the provisions of section
15 2717(b) (relating to terrorism), if the total value of material
16 support or resources exceeds \$1,000, an offense under this
17 section is a felony of the second degree; otherwise, an offense
18 under this section is a felony of the third degree.

19 (c) Definitions.--As used in this section, the following
20 words and phrases shall have the meanings given to them in this
21 subsection:

22 "Material support or resources." Currency or other financial
23 securities, financial services, lodging, training, safe houses,
24 false documentation or identification, communications equipment,
25 facilities, weapons, lethal substances, explosives, personnel,
26 transportation and other physical assets, except medicine or
27 religious materials.

28 "Terrorism." An act classified as an offense under section
29 2717(a) (relating to terrorism).

30 "Terrorist organization." The term includes any

organization, domestic or foreign, which directly engages in the planning, preparation, carrying out or aiding of any act of terrorism and includes, but is not limited to, any organization under section 219 of the Immigration and Nationality Act (66 Stat. 163, 8 U.S.C. § 1189) as a foreign terrorist organization. § 2719. Hindering prosecution for terrorism.

(a) Offense.--A person commits the offense of hindering prosecution for terrorism if he renders criminal assistance to a person who has committed terrorism, knowing or believing that such person engaged in conduct constituting terrorism.

(b) Grading.--Notwithstanding the provisions of section 2717(b) (relating to terrorism), if the terrorism resulted in the death of a person other than one of the participants, an offense under this section is a felony of the second degree; otherwise, an offense under this section is a felony of the third degree.

(c) Definitions.--As used in this section, the following words and phrases shall have the meanings given to them in this subsection:

"Renders criminal assistance." With the intent to prevent, hinder or delay the discovery or apprehension of, or the bringing of a criminal charge against, a person who he knows or believes has committed an offense under section 2717 (relating to terrorism), or is being sought by law enforcement officials for the commission of an offense under section 2717, or with intent to assist a person in profiting or benefiting from the commission of an offense under section 2717, he:

(1) harbors or conceals such person;

(2) warns such person of impending discovery or apprehension;

1 (3) provides such person with money, transportation,
2 weapon, disguise or other means of avoiding discovery or
3 apprehension;

4 (4) prevents or obstructs, by means of force,
5 intimidation or deception, anyone from performing an act
6 which might aid in the discovery or apprehension of such
7 person or in the bringing of a criminal charge against him;
8 or

9 (5) suppresses, by any act of concealment, alteration or
10 destruction, any physical evidence which might aid in the
11 discovery or apprehension of such person or in the bringing
12 of a criminal charge against him.

13 "Terrorism." An act classified as an offense under section
14 2717(a) (relating to terrorism).

15 Section 3. This act shall take effect as follows:

16 (1) The addition of 18 Pa.C.S. §§ 2717, 2718 and 2719
17 shall take effect in 60 days.

18 (2) Section 1 of this act and this section shall take
19 effect immediately.