

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 497 Session of
2007

INTRODUCED BY HARHAI, BELFANTI, BIANCUCCI, BOYD, BUXTON,
CARROLL, CASORIO, FABRIZIO, FREEMAN, GEIST, GOODMAN, GRUCELA,
HESS, JAMES, KAUFFMAN, W. KELLER, MELIO, MURT, MYERS,
O'NEILL, READSHAW, REICHLEY, SAINATO, SCAVELLO, SCHRODER,
SIPTROTH, SOLOBAY, STABACK AND YOUNGBLOOD, FEBRUARY 26, 2007

REFERRED TO COMMITTEE ON JUDICIARY, FEBRUARY 26, 2007

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, further providing for arson and
3 related offenses.

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

6 Section 1. Section 3301(j) of Title 18 of the Pennsylvania
7 Consolidated Statutes is amended and the section is amended by
8 adding a subsection to read:

9 § 3301. Arson and related offenses.

10 * * *

11 (a.1) Arson at an illegal drug manufacturing site.--

12 (1) A person commits a felony of the first degree if he
13 causes a fire or explosion as a result of operating an
14 illegal drug manufacturing site whether on his property or on
15 that of another.

16 (2) A person who causes a fire or explosion at an
17 illegal drug manufacturing site commits murder of the second

1 degree if the fire or explosion causes the death of any
2 person, including, but not limited to, a firefighter, police
3 officer or other person actively engaged in fighting the
4 fire.

5 * * *

6 (j) Definitions.--As used in this section the following
7 words and phrases shall have the meanings given to them in this
8 subsection:

9 "Illegal drug manufacturing site." Property on which the
10 unauthorized manufacture of a controlled substance listed in
11 Schedules I through V of the act of April 14, 1972 (P.L.233,
12 No.64), known as The Controlled Substance, Drug, Device and
13 Cosmetic Act, or a precursor chemical for the substance has
14 occurred or there is kept, stored or located any of the devices,
15 equipment, things or substances used for the unauthorized
16 manufacture of a controlled substance listed in Schedules I
17 through V.

18 "Occupied structure." Any structure, vehicle or place
19 adapted for overnight accommodation of persons or for carrying
20 on business therein, whether or not a person is actually
21 present. If a building or structure is divided into separately
22 occupied units, any unit not occupied by the actor is an
23 occupied structure of another.

24 "Property of another." A building or other property, whether
25 real or personal, in which a person other than the actor has an
26 interest which the actor has no authority to defeat or impair,
27 even though the actor may also have an interest in the building
28 or property.

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