
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 581 Session of
2007

INTRODUCED BY REICHLEY, BAKER, BARRAR, BOYD, CAPPELLI, CURRY,
EVERETT, FRANKEL, FREEMAN, GEIST, GILLESPIE, GINGRICH,
GODSHALL, GOODMAN, HENNESSEY, HERSHEY, HICKERNELL, KENNEY,
KING, KOTIK, MANN, MELIO, MENSCH, NAILOR, O'NEILL, PEIFER,
PETRI, RAYMOND, ROEBUCK, ROSS, RUBLEY, SAYLOR, SCAVELLO,
SONNEY, J. TAYLOR, WATSON, WHEATLEY, SWANGER AND D. O'BRIEN,
MARCH 6, 2007

REFERRED TO COMMITTEE ON JUDICIARY, MARCH 6, 2007

AN ACT

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

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

6 Section 1. Section 3903(a), (a.1) and (b) of Title 18 of the
7 Pennsylvania Consolidated Statutes are amended and the section
8 is amended by adding a subsection to read:

9 § 3903. Grading of theft offenses.

10 (a) Felony of the second degree.--Theft constitutes a felony
11 of the second degree if:

12 (1) The offense is committed during a manmade disaster,
13 a natural disaster or a war-caused disaster and constitutes a
14 violation of section 3921 (relating to theft by unlawful
15 taking or disposition), 3925 (relating to receiving stolen
16 property), 3928 (relating to unauthorized use of automobiles

1 and other vehicles) or 3929 (relating to retail theft).

2 (2) The property stolen is a firearm.

3 (3) In the case of theft by receiving stolen property,
4 the property received, retained or disposed of is a firearm
5 [and the receiver is in the business of buying or selling
6 stolen property].

7 (4) The property stolen is any amount of anhydrous
8 ammonia.

9 (a.1) Felony of the third degree.--Except as provided in
10 subsection (a) or (a.2), theft constitutes a felony of the third
11 degree if the amount involved exceeds \$2,000, or if the property
12 stolen is an automobile, airplane, motorcycle, motorboat or
13 other motor-propelled vehicle, or in the case of theft by
14 receiving stolen property, if the receiver is in the business of
15 buying or selling stolen property.

16 (a.2) Felony of the first degree.--Theft constitutes a
17 felony of the first degree if in the case of theft by receiving
18 stolen property, the property received, retained or disposed of
19 is a firearm and the receiver is in the business of buying or
20 selling stolen property.

21 (b) Other grades.--Theft not within subsection (a) [or],
22 (a.1) [of this section] or (a.2), constitutes a misdemeanor of
23 the first degree, except that if the property was not taken from
24 the person or by threat, or in breach of fiduciary obligation,
25 and:

26 (1) the amount involved was \$50 or more but less than
27 \$200 the offense constitutes a misdemeanor of the second
28 degree; or

29 (2) the amount involved was less than \$50 the offense
30 constitutes a misdemeanor of the third degree.

1 * * *

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