
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1628 Session of
2007

INTRODUCED BY DALLY, BAKER, BENNINGHOFF, BOYD, CASORIO,
CREIGHTON, DENLINGER, EVERETT, GEIST, GINGRICH, HARHAI,
HARHART, HARKINS, HARRIS, HENNESSEY, HERSHEY, HESS, KILLION,
KIRKLAND, KORTZ, MACKERETH, MAJOR, MANN, MILLARD, R. MILLER,
MOUL, NAILOR, O'NEILL, PALLONE, PEIFER, PICKETT, PYLE, QUINN,
REED, REICHLEY, RUBLEY, SCAVELLO, SCHRODER, SWANGER,
J. TAYLOR, THOMAS, TRUE, VEREB AND VULAKOVICH, JUNE 25, 2007

REFERRED TO COMMITTEE ON JUDICIARY, JUNE 25, 2007

AN ACT

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

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

5 Section 1. Section 4120(c) of Title 18 of the Pennsylvania
6 Consolidated Statutes is amended to read:

7 § 4120. Identity theft.

8 * * *

9 (c) Grading.--The offenses shall be graded as follows:

10 (1) Except as otherwise provided in [paragraph (2)]
11 paragraphs (2) and (3), an offense under subsection (a) falls
12 within the following classifications depending on the value
13 of any property or services obtained by means of the
14 identifying information:

15 (i) if the total value involved is less than \$2,000,

1 the offense is a misdemeanor of the first degree;
2 (ii) if the total value involved was \$2,000 or more,
3 the offense is a felony of the third degree;
4 (iii) regardless of the total value involved, if the
5 offense is committed in furtherance of a criminal
6 conspiracy as defined in section 903 (relating to
7 criminal conspiracy), the offense is a felony of the
8 third degree; or
9 (iv) regardless of the total value involved, if the
10 offense is a third or subsequent offense under this
11 section, the offense is a felony of the second degree.

12 (2) When a person commits an offense under subsection
13 (a) and the victim of the offense is 60 years of age or older
14 or a care-dependent person as defined in section 2713
15 (relating to neglect of care-dependent person), the grading
16 of the offense shall be one grade higher than specified in
17 paragraph (1).

18 (3) When a person commits an offense under subsection
19 (a) and the victim of the offense is under 18 years of age,
20 the grading of the offense shall be one grade higher than
21 specified in paragraph (1).

22 * * *

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