

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 183 Session of 2007

INTRODUCED BY PIPPY, BOSCOLA, FONTANA, RAFFERTY, WONDERLING, RHOADES, COSTA, KITCHEN, ERICKSON, O'PAKE, PILEGGI, TOMLINSON, BRUBAKER, WOZNIAK, BROWNE, LOGAN AND WASHINGTON, MARCH 6, 2007

AS AMENDED ON THIRD CONSIDERATION, APRIL 17, 2007

AN ACT

1 ~~Amending Title 18 (Crimes and Offenses) of the Pennsylvania~~ <—
2 ~~Consolidated Statutes, further providing for impersonating a~~
3 ~~public servant.~~

4 AMENDING TITLES 18 (CRIMES AND OFFENSES) AND 42 (JUDICIARY AND <—
5 JUDICIAL PROCEDURE) OF THE PENNSYLVANIA CONSOLIDATED
6 STATUTES, FURTHER EXPANDING THE OFFENSE OF IMPERSONATING A
7 PUBLIC SERVANT; AND MAKING EDITORIAL CHANGES.

8 The General Assembly of the Commonwealth of Pennsylvania
9 hereby enacts as follows:

10 ~~Section 1. Section 4912 of Title 18 of the Pennsylvania~~ <—
11 ~~Consolidated Statutes is amended to read:~~

12 ~~§ 4912. Impersonating a public servant, member of the armed~~
13 ~~forces or veteran.~~

14 SECTION 1. SECTIONS 4912 AND 6105(B) OF TITLE 18 OF THE <—
15 PENNSYLVANIA CONSOLIDATED STATUTES ARE AMENDED TO READ:

16 § 4912. [IMPERSONATING A PUBLIC SERVANT.] IMPERSONATION.

17 (a) General rule.--A person commits a misdemeanor of the
18 second degree if he falsely pretends to hold a position in the
19 public service with intent to induce another to submit to such

1 pretended official authority or otherwise to act in reliance
2 upon that pretense to his prejudice.

3 (b) Law enforcement officer.--A person commits a felony of
4 the third degree if by action, word or attire the person
5 purports to be, or conveys the impression that the person is, a
6 police officer or any other type of law enforcement officer,
7 with intent to induce another person to submit to false official
8 authority or to otherwise rely to his or her prejudice upon the
9 false impression created.

10 (c) Member of armed forces or veteran.--A person commits a
11 misdemeanor of the third degree if by action, word or attire the
12 person purports to be, or conveys the impression that the person
13 is, an active member of the armed forces or a veteran, with
14 intent to induce another person to submit to false official
15 authority or to otherwise rely to his or her prejudice upon the
16 false impression created.

17 (d) Definition.--As used in this section the term "veteran"
18 means a person who served or after the effective date of this
19 subsection serves in the armed forces of the United States, or
20 in any women's organization officially connected therewith,
21 during any war or armed conflict in which the United States
22 engaged and who was released from active duty under honorable
23 conditions, other than from periods of active duty for training,
24 or with an honorable discharge from such service, or a person
25 who so served or after the effective date of this subsection
26 serves in the armed forces of the United States, or in any
27 women's organization officially connected therewith, since July
28 27, 1953, including service in Vietnam, and who has an honorable
29 discharge from such service.

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

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1 § 6105. PERSONS NOT TO POSSESS, USE, MANUFACTURE, CONTROL, SELL ←
2 OR TRANSFER FIREARMS.

3 * * *

4 (B) ENUMERATED OFFENSES.--THE FOLLOWING OFFENSES SHALL APPLY
5 TO SUBSECTION (A):

6 SECTION 908 (RELATING TO PROHIBITED OFFENSIVE WEAPONS).

7 SECTION 911 (RELATING TO CORRUPT ORGANIZATIONS).

8 SECTION 912 (RELATING TO POSSESSION OF WEAPON ON SCHOOL
9 PROPERTY).

10 SECTION 2502 (RELATING TO MURDER).

11 SECTION 2503 (RELATING TO VOLUNTARY MANSLAUGHTER).

12 SECTION 2504 (RELATING TO INVOLUNTARY MANSLAUGHTER) IF
13 THE OFFENSE IS BASED ON THE RECKLESS USE OF A FIREARM.

14 SECTION 2702 (RELATING TO AGGRAVATED ASSAULT).

15 SECTION 2703 (RELATING TO ASSAULT BY PRISONER).

16 SECTION 2704 (RELATING TO ASSAULT BY LIFE PRISONER).

17 SECTION 2709.1 (RELATING TO STALKING).

18 SECTION 2716 (RELATING TO WEAPONS OF MASS DESTRUCTION).

19 SECTION 2901 (RELATING TO KIDNAPPING).

20 SECTION 2902 (RELATING TO UNLAWFUL RESTRAINT).

21 SECTION 2910 (RELATING TO LURING A CHILD INTO A MOTOR
22 VEHICLE).

23 SECTION 3121 (RELATING TO RAPE).

24 SECTION 3123 (RELATING TO INVOLUNTARY DEVIATE SEXUAL
25 INTERCOURSE).

26 SECTION 3125 (RELATING TO AGGRAVATED INDECENT ASSAULT).

27 SECTION 3301 (RELATING TO ARSON AND RELATED OFFENSES).

28 SECTION 3302 (RELATING TO CAUSING OR RISKING
29 CATASTROPHE).

30 SECTION 3502 (RELATING TO BURGLARY).

1 SECTION 3503 (RELATING TO CRIMINAL TRESPASS) IF THE
2 OFFENSE IS GRADED A FELONY OF THE SECOND DEGREE OR HIGHER.

3 SECTION 3701 (RELATING TO ROBBERY).

4 SECTION 3702 (RELATING TO ROBBERY OF MOTOR VEHICLE).

5 SECTION 3921 (RELATING TO THEFT BY UNLAWFUL TAKING OR
6 DISPOSITION) UPON CONVICTION OF THE SECOND FELONY OFFENSE.

7 SECTION 3923 (RELATING TO THEFT BY EXTORTION) WHEN THE
8 OFFENSE IS ACCOMPANIED BY THREATS OF VIOLENCE.

9 SECTION 3925 (RELATING TO RECEIVING STOLEN PROPERTY) UPON
10 CONVICTION OF THE SECOND FELONY OFFENSE.

11 SECTION 4912 (RELATING TO [IMPERSONATING A PUBLIC
12 SERVANT] IMPERSONATION) IF THE PERSON IS IMPERSONATING A LAW
13 ENFORCEMENT OFFICER.

14 SECTION 4952 (RELATING TO INTIMIDATION OF WITNESSES OR
15 VICTIMS).

16 SECTION 4953 (RELATING TO RETALIATION AGAINST WITNESS OR
17 VICTIM).

18 SECTION 5121 (RELATING TO ESCAPE).

19 SECTION 5122 (RELATING TO WEAPONS OR IMPLEMENTS FOR
20 ESCAPE).

21 SECTION 5501(3) (RELATING TO RIOT).

22 SECTION 5515 (RELATING TO PROHIBITING OF PARAMILITARY
23 TRAINING).

24 SECTION 5516 (RELATING TO FACSIMILE WEAPONS OF MASS
25 DESTRUCTION).

26 SECTION 6110.1 (RELATING TO POSSESSION OF FIREARM BY
27 MINOR).

28 SECTION 6301 (RELATING TO CORRUPTION OF MINORS).

29 SECTION 6302 (RELATING TO SALE OR LEASE OF WEAPONS AND
30 EXPLOSIVES).

1 ANY OFFENSE EQUIVALENT TO ANY OF THE ABOVE-ENUMERATED
2 OFFENSES UNDER THE PRIOR LAWS OF THIS COMMONWEALTH OR ANY
3 OFFENSE EQUIVALENT TO ANY OF THE ABOVE-ENUMERATED OFFENSES
4 UNDER THE STATUTES OF ANY OTHER STATE OR OF THE UNITED
5 STATES.

6 * * *

7 SECTION 2. SECTION 5552(B)(1) OF TITLE 42 IS AMENDED TO
8 READ:

9 § 5552. OTHER OFFENSES.

10 * * *

11 (B) MAJOR OFFENSES.--A PROSECUTION FOR ANY OF THE FOLLOWING
12 OFFENSES MUST BE COMMENCED WITHIN FIVE YEARS AFTER IT IS
13 COMMITTED:

14 (1) UNDER THE FOLLOWING PROVISIONS OF TITLE 18 (RELATING
15 TO CRIMES AND OFFENSES):

16 SECTION 901 (RELATING TO CRIMINAL ATTEMPT) INVOLVING
17 ATTEMPT TO COMMIT MURDER WHERE NO MURDER OCCURS.

18 SECTION 902 (RELATING TO CRIMINAL SOLICITATION)
19 INVOLVING SOLICITATION TO COMMIT MURDER WHERE NO MURDER
20 OCCURS.

21 SECTION 903 (RELATING TO CRIMINAL CONSPIRACY)
22 INVOLVING CONSPIRACY TO COMMIT MURDER WHERE NO MURDER
23 OCCURS.

24 SECTION 911 (RELATING TO CORRUPT ORGANIZATIONS).

25 SECTION 2702 (RELATING TO AGGRAVATED ASSAULT).

26 SECTION 2706 (RELATING TO TERRORISTIC THREATS).

27 SECTION 2713 (RELATING TO NEGLECT OF CARE-DEPENDENT
28 PERSON).

29 SECTION 2901 (RELATING TO KIDNAPPING).

30 SECTION 3301 (RELATING TO ARSON AND RELATED

1 OFFENSES).

2 SECTION 3502 (RELATING TO BURGLARY).

3 SECTION 3701 (RELATING TO ROBBERY).

4 SECTION 3921 (RELATING TO THEFT BY UNLAWFUL TAKING OR
5 DISPOSITION) THROUGH SECTION 3933 (RELATING TO UNLAWFUL
6 USE OF COMPUTER).

7 SECTION 4101 (RELATING TO FORGERY).

8 SECTION 4107 (RELATING TO DECEPTIVE OR FRAUDULENT
9 BUSINESS PRACTICES).

10 SECTION 4108 (RELATING TO COMMERCIAL BRIBERY AND
11 BREACH OF DUTY TO ACT DISINTERESTEDLY).

12 SECTION 4109 (RELATING TO RIGGING PUBLICLY EXHIBITED
13 CONTEST).

14 SECTION 4117 (RELATING TO INSURANCE FRAUD).

15 SECTION 4701 (RELATING TO BRIBERY IN OFFICIAL AND
16 POLITICAL MATTERS) THROUGH SECTION 4703 (RELATING TO
17 RETALIATION FOR PAST OFFICIAL ACTION).

18 SECTION 4902 (RELATING TO PERJURY) THROUGH SECTION
19 4912 (RELATING TO [IMPERSONATING A PUBLIC SERVANT]
20 IMPERSONATION).

21 SECTION 4952 (RELATING TO INTIMIDATION OF WITNESSES
22 OR VICTIMS).

23 SECTION 4953 (RELATING TO RETALIATION AGAINST WITNESS
24 OR VICTIM).

25 SECTION 5101 (RELATING TO OBSTRUCTING ADMINISTRATION
26 OF LAW OR OTHER GOVERNMENTAL FUNCTION).

27 SECTION 5111 (RELATING TO DEALING IN PROCEEDS OF
28 UNLAWFUL ACTIVITIES).

29 SECTION 5512 (RELATING TO LOTTERIES, ETC.) THROUGH
30 SECTION 5514 (RELATING TO POOL SELLING AND BOOKMAKING).

1 SECTION 5902(B) (RELATING TO PROSTITUTION AND RELATED
2 OFFENSES).

3 * * *

4 SECTION 3. THIS ACT SHALL TAKE EFFECT IN 60 DAYS.