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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 416 Session of  
2009

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INTRODUCED BY BARBIN, BEYER, CALTAGIRONE, CLYMER, GEORGE, GROVE,  
HORNAMAN, JOSEPHS, KORTZ, KOTIK, LONGIETTI, MANN, PASHINSKI,  
PETRARCA, READSHAW, SIPTROTH, STURLA, WHITE, YOUNGBLOOD,  
GOODMAN, VULAKOVICH, BRENNAN, MILNE AND SOLOBAY,  
FEBRUARY 13, 2009

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REFERRED TO COMMITTEE ON PROFESSIONAL LICENSURE, FEBRUARY 13,  
2009

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AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania  
2 Consolidated Statutes, defining "licensing board" and  
3 "professional or occupational license"; and defining the  
4 offense of impersonating the holder of a professional or  
5 occupational license.

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

8 Section 1. Section 4501 of Title 18 of the Pennsylvania  
9 Consolidated Statutes is amended by adding definitions to read:

10 § 4501. Definitions.

11 Subject to additional definitions contained in subsequent  
12 provisions of this article which are applicable to specific  
13 chapters or other provisions of this article, the following  
14 words and phrases, when used in this article shall have, unless  
15 the context clearly indicates otherwise, the meanings given to  
16 them in this section:

17 \* \* \*

1 "Licensing board." Any of the following:

2 (1) A board or commission:

3 (i) which is empowered to license, certify or  
4 register individuals as members of an occupation or  
5 profession; and

6 (ii) of which, the Commissioner of Professional and  
7 Occupational Affairs is a member.

8 (2) The State Board of Certified Real Estate Appraisers.

9 (3) The Navigation Commission for the Delaware River and  
10 its navigable tributaries.

11 \* \* \*

12 "Professional or occupational license." An authorization by  
13 a licensing board to practice a profession or occupation.

14 (1) The term includes:

15 (i) an authorization that is inactive or expired;  
16 and

17 (ii) a temporary practice permit, license,  
18 certification or registration.

19 (2) The term does not include an authorization that has  
20 been revoked or voluntarily surrendered.

21 \* \* \*

22 Section 2. Title 18 is amended by adding a section to read:

23 § 4913.1. Impersonating the holder of a professional or  
24 occupational license.

25 (a) Offense defined.--A person commits an offense if the  
26 person does any of the following:

27 (1) Falsely pretends to hold a professional or  
28 occupational license issued by a licensing board.

29 (2) Performs an act in furtherance of a false pretense  
30 under paragraph (1).

1     (b) Grading.--

2             (1) Except as set forth in paragraph (2), an offense  
3     under this section is a misdemeanor of the second degree.

4             (2) If the intent of the actor is to harm, defraud or  
5     injure anyone, an offense under this section is a felony of  
6     the third degree.

7     Section 3. This act shall take effect in 60 days.