

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 416 Session of 2009

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, SOLOBAY, BELFANTI, PRESTON, GRUCELA, GERGELY, BRIGGS, GIBBONS, PALLONE, MURT AND FARRY, FEBRUARY 13, 2009

SENATOR TOMLINSON, CONSUMER PROTECTION AND PROFESSIONAL LICENSURE, IN SENATE, AS AMENDED, JUNE 23, 2009

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 ~~further~~ defining ←
4 the offense of impersonating a ~~notary public~~ THE HOLDER OF A ←
5 PROFESSIONAL OR 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:

1 * * *

2 "Licensing board." Any of the following:

3 (1) A board or commission:

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

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

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

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

12 * * *

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

15 (1) The term includes:

16 (i) an authorization that is suspended, retired,
17 inactive or expired; and

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

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21 been revoked or voluntarily surrendered.

22 * * *

23 Section 2. Section 4913 of Title 18 is amended to read:

24 § 4913. Impersonating a notary public or a holder of a
25 professional or ~~occupation~~ OCCUPATIONAL license. ←

26 (a) Offense defined.--A person commits [a misdemeanor of the
27 first degree] an offense if the person does any of the

28 following:

29 (1) falsely pretends to hold the office of notary public
30 within this Commonwealth or to hold a professional or

1 occupational license issued by a licensing board; and

2 (2) performs any action in furtherance of this false
3 pretense.

4 (b) Grading.--

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

7 (2) If the intent of the actor is to harm, defraud or
8 injure anyone, an offense under this section is a felony of ←
9 the third degree MISDEMEANOR OF THE FIRST DEGREE. ←

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