

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 597 Session of 2009

INTRODUCED BY GINGRICH, SWANGER, BAKER, BELFANTI, BOYD, CARROLL, CASORIO, CREIGHTON, CRUZ, DeLUCA, FLECK, GEIST, GILLESPIE, GRELL, GROVE, HARHAI, HENNESSEY, HESS, HICKERNELL, M. KELLER, W. KELLER, KORTZ, MARSICO, MILLARD, MURT, PAYNE, PEIFER, PICKETT, PYLE, READSHAW, ROAE, SIPTROTH, K. SMITH, STERN, VULAKOVICH AND YOUNGBLOOD, FEBRUARY 24, 2009

REFERRED TO COMMITTEE ON JUDICIARY, FEBRUARY 24, 2009

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, further providing for the offense of
3 loitering and prowling at night.

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

6 Section 1. Section 5506 of Title 18 of the Pennsylvania
7 Consolidated Statutes is amended to read:

8 § 5506. Loitering and prowling [at night time].

9 [Whoever] (a) Offense defined.--A person who [at night time]
10 maliciously loiters or maliciously prowls around a dwelling
11 house or any other place used wholly or in part for living or
12 dwelling purposes, belonging to or occupied by another, [is
13 guilty of a misdemeanor of the third degree.] commits an
14 offense.

15 (b) Grading.--An offense under subsection (a) constitutes a:

16 (1) Misdemeanor of the third degree when the offense is

1 a first offense.

2 (2) Misdemeanor of the second degree when the offense is
3 a second offense.

4 (3) Misdemeanor of the first degree when the offense is
5 a third offense.

6 (4) Felony of the third degree when the offense is a
7 fourth or subsequent offense.

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