
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 856 Session of
2011

INTRODUCED BY KAUFFMAN, METCALFE, AUMENT, BAKER, BLOOM, BOYD,
COHEN, D. COSTA, COX, CREIGHTON, CUTLER, DALEY, DAY,
DENLINGER, FARRY, GEIST, GINGRICH, GOODMAN, GRELL, GROVE,
HARHART, HARKINS, HICKERNELL, HORNAMAN, M.K. KELLER, KORTZ,
KULA, MAHER, MILLARD, MILLER, MILNE, MOUL, PEIFER, PYLE,
READSHAW, REESE, ROCK, STERN, STEVENSON, TALLMAN, J. TAYLOR,
TOOHIL, VULAKOVICH, WATSON, WHEATLEY, YOUNGBLOOD, SCHRODER
AND GILLEN, MARCH 1, 2011

REFERRED TO COMMITTEE ON JUDICIARY, MARCH 1, 2011

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, prohibiting smuggling of human beings.

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

5 Section 1. The heading of Chapter 30 of Title 18 of the
6 Pennsylvania Consolidated Statutes is amended and the chapter is
7 amended by adding a subchapter heading to read:

8 CHAPTER 30

9 TRAFFICKING OF PERSONS AND SMUGGLING OF HUMAN BEINGS

10 SUBCHAPTER A

11 TRAFFICKING OF PERSONS

12 Section 2. Chapter 30 of Title 18 is amended by adding a
13 subchapter to read:

14 SUBCHAPTER B

15 SMUGGLING OF HUMAN BEINGS

1 Sec.

2 3021. Definitions.

3 3022. Smuggling of human beings.

4 § 3021. Definitions.

5 The following words and phrases when used in this subchapter
6 shall have the meanings given to them in this section unless the
7 context clearly indicates otherwise:

8 "Smuggling of human beings." Transportation, procurement of
9 transportation or use of property or real property by a person
10 or an entity knowing, or having reason to know, that the person
11 or persons transported or to be transported are unlawfully
12 present in the United States in violation of law.

13 § 3022. Smuggling of human beings.

14 (a) General rule.--A person who intentionally engages in the
15 smuggling of human beings for profit or other commercial purpose
16 commits a felony of the third degree.

17 (b) Lawful stop.--Notwithstanding any other law, a law
18 enforcement officer engaged in the enforcement of this section
19 may lawfully stop a person who is operating a motor vehicle if
20 the officer has reasonable suspicion to believe that the person
21 is in violation of any provision of 75 Pa.C.S. (relating to
22 vehicles).

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