

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 485 Session of 2019

INTRODUCED BY BOBACK, SOLOMON, JAMES, IRVIN, BERNSTINE,
LONGIETTI, MURT, MILLARD, DONATUCCI, SNYDER, PEIFER, KEEFER,
STAATS, READSHAW, BARRAR, McNEILL, PICKETT, NEILSON, HILL-
EVANS, SANCHEZ, CONKLIN, OBERLANDER, SAMUELSON, WARREN,
KORTZ, CIRESI, B. MILLER, SCHWEYER, DeLUCA, BENNINGHOFF AND
HAHN, FEBRUARY 12, 2019

REFERRED TO COMMITTEE ON JUDICIARY, FEBRUARY 12, 2019

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, in forgery and fraudulent practices,
3 providing for the offense of false caller identification
4 information display; and imposing penalties.

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

7 Section 1. Title 18 of the Pennsylvania Consolidated
8 Statutes is amended by adding a section to read:

9 § 4122. False caller identification information display.

10 (a) Offense defined.--A person may not, with the intent to
11 defraud, harass or cause harm, make a call or engage in conduct
12 that results in the display of false caller identification
13 information on the called party's telephone.

14 (b) Grading.--In addition to any other penalty imposed under
15 this title or other statute, a person who violates this section:

16 (1) For a first offense, commits a misdemeanor of the
17 third degree.

1 (2) For a second or subsequent offense, commits a
2 misdemeanor of the second degree.

3 (c) Exception.--This section shall not apply to:

4 (1) The blocking of caller identification information.

5 (2) Any law enforcement agency of the Federal, State,
6 county or municipal government.

7 (3) Any intelligence or security agency of the Federal
8 Government.

9 (4) A telecommunications, broadband or Voice over
10 Internet Protocol service provider that is:

11 (i) acting in its capacity as an intermediary for
12 the transmission of telephone service between the caller
13 and the recipient;

14 (ii) providing or configuring a service or service
15 feature as requested by a customer;

16 (iii) acting in a manner that is authorized or
17 required by applicable law; or

18 (iv) engaging in other conduct that is a necessary
19 incident to the provision of service.

20 (d) Definitions.--As used in this section, the following
21 words and phrases shall have the meanings given to them in this
22 subsection unless the context clearly indicates otherwise:

23 "Call." Any type of telephone call made using any type of
24 technology, including the public switched telephone network or a
25 successor network, wireless cellular telephone service or Voice
26 over Internet Protocol service.

27 "False caller identification information." Data that
28 misrepresents the identity of the caller or the caller's
29 telephone number to the recipient of a call or to the network
30 itself.

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