

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 540 Session of 2019

INTRODUCED BY FLYNN, MURT, READSHAW, BARRAR, KIRKLAND, KINSEY, ZIMMERMAN, NEILSON, HILL-EVANS, B. MILLER, DeLUCA, KORTZ AND SCHWEYER, FEBRUARY 19, 2019

REFERRED TO COMMITTEE ON JUDICIARY, FEBRUARY 19, 2019

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
 2 Consolidated Statutes, in riot, disorderly conduct and
 3 related offenses, providing for the offense of inciting
 4 violence against law enforcement officer.

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 § 5503.1. Inciting violence against law enforcement officer.

10 (a) Offense defined.--A person commits a felony of the third
 11 degree if the person willfully advocates violence against one or
 12 more law enforcement officers that is likely to incite or
 13 produce violence.

14 (b) Definitions.--As used in this section, the following
 15 words and phrases shall have the meanings given to them in this
 16 subsection unless the context clearly indicates otherwise:

17 "Law enforcement officer." A person who by virtue of the
 18 person's office or public employment is vested by law with a

1 duty to maintain public order or to make arrests for offenses,
2 whether that duty extends to all offenses or is limited to
3 specific offenses, or any person on active State duty pursuant
4 to 51 Pa.C.S. § 508 (relating to active duty for emergency). The
5 term shall also include any member of any park police department
6 of any county of the third class.

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