
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1118 Session of
2013

INTRODUCED BY K. BOYLE, CLAY, O'BRIEN, SCHLOSSBERG, MILLARD,
THOMAS, DONATUCCI, PASHINSKI, KULA, MCGEEHAN, W. KELLER,
DENLINGER, MAHONEY, ROZZI, BISHOP, COHEN, DeLUCA, V. BROWN,
SWANGER, CLYMER AND B. BOYLE, APRIL 3, 2013

REFERRED TO COMMITTEE ON JUDICIARY, APRIL 3, 2013

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 filing false or forged documents
4 relating to single-family residences and for the offense of
5 fraud relating to a deed or mortgage on real property; and,
6 in falsification and intimidation, further providing for the
7 offense of impersonating a notary public or a holder of a
8 professional or occupational license.

9 The General Assembly of the Commonwealth of Pennsylvania
10 hereby enacts as follows:

11 Section 1. Title 18 of the Pennsylvania Consolidated
12 Statutes is amended by adding sections to read:

13 § 4101.1. Filing false or forged documents relating to single-
14 family residences.

15 (a) Recording of deeds.--The following shall apply:

16 (1) A person commits an offense if the person:

17 (i) Files with the county office responsible for
18 recording deeds any false or forged document or

19 instrument which affects title to, places an encumbrance

20 on or places an interest secured by a mortgage or deed of

1 trust on real property consisting of a single-family
2 residence containing not more than four dwelling units.

3 (ii) Has knowledge that the document is false or
4 forged.

5 (2) An offense under this subsection is a felony of the
6 third degree.

7 (b) Notary public.--The following shall apply:

8 (1) A person commits an offense if the person knowingly
9 makes a false sworn statement to a notary public to induce
10 the notary public to perform an improper notarial act on an
11 instrument or document affecting title to or placing an
12 encumbrance on real property consisting of a single-family
13 residence containing not more than four dwelling units.

14 (2) An offense under this subsection is a felony of the
15 third degree.

16 § 4101.2. Fraud relating to a deed or mortgage on real
17 property.

18 The following shall apply:

19 (1) A notary public commits an offense if the notary
20 public:

21 (i) Knowingly and willfully with intent to defraud
22 performs any notarial act in relation to a deed or
23 encumbrance or any document affecting title on real
24 property consisting of a single-family residence
25 containing not more than four dwelling units.

26 (ii) Has knowledge that the deed or encumbrance
27 contains a false statement or is forged.

28 (2) An offense under this subsection is a felony of the
29 third degree.

30 Section 2. Section 4913(b) of Title 18 is amended and the

1 section is amended by adding a subsection to read:

2 § 4913. Impersonating a notary public or a holder of a
3 professional or occupational license.

4 * * *

5 (a.1) Real estate transactions.--A person commits an offense
6 if the person falsely pretends to hold the office of notary
7 public in this Commonwealth and engages in any act under section
8 4101.2 (relating to fraud relating to a deed or mortgage on real
9 property).

10 (b) Grading.--

11 (1) Except as set forth in paragraph (2) or (3), an
12 offense under this section is a misdemeanor of the second
13 degree.

14 (2) If the intent of the actor is to harm, defraud or
15 injure anyone, an offense under this section is a misdemeanor
16 of the first degree.

17 (3) An offense under subsection (a.1) is a felony of the
18 third degree.

19 Section 3. This act shall take effect immediately.