

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1321 Session of
2023

INTRODUCED BY KEEFER, KAUFFMAN AND ROWE, JUNE 5, 2023

REFERRED TO COMMITTEE ON JUDICIARY, JUNE 5, 2023

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, in culpability, further providing for
3 entrapment; and imposing a penalty.

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

6 Section 1. Section 313(c) of Title 18 of the Pennsylvania
7 Consolidated Statutes is amended and the section is amended by
8 adding subsections to read:

9 § 313. Entrapment.

10 * * *

11 (a.1) Penalty.--An individual who commits a violation of
12 subsection (a) commits a misdemeanor of the third degree.

13 * * *

14 (c) Exception.--The defense afforded by this section is
15 unavailable when causing [or threatening] bodily injury is an
16 element of the offense charged and the prosecution is based on
17 conduct causing [or threatening] such injury to a person other
18 than the person perpetrating the entrapment.

19 (d) Definition.--As used in this section, the term "public

1 law enforcement official" means an officer of the United States,
2 an officer of the Commonwealth or a political subdivision or an
3 officer of another state or political subdivision who is
4 empowered by law to conduct investigations or to make arrests
5 for offenses enumerated in this title or an equivalent crime in
6 another jurisdiction, and any attorney authorized by law to
7 prosecute or participate in the prosecution of such offense.

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