
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 289 Session of
2013

INTRODUCED BY DELOZIER, MARSICO, CALTAGIRONE, BAKER, BARRAR,
BIZZARRO, D. COSTA, CUTLER, DEASY, ELLIS, FLECK, HARKINS, C.
HARRIS, HENNESSEY, HESS, HICKERNELL, KAUFFMAN, M. K. KELLER,
KORTZ, MILLARD, MILLER, MOUL, READSHAW, SAYLOR, STEPHENS,
STERN, STEVENSON, SWANGER, TOEPEL AND WATSON,
JANUARY 23, 2013

REFERRED TO COMMITTEE ON JUDICIARY, JANUARY 23, 2013

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, further providing for burglary, for
3 robbery and for grading of theft offenses.

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

6 Section 1. Section 3502(c)(2) of Title 18 of the
7 Pennsylvania Consolidated Statutes, amended July 5, 2012
8 (P.L.1050, No.122), is amended to read:

9 § 3502. Burglary.

10 * * *

11 (c) Grading.--

12 * * *

13 (2) [An] As follows:

14 (i) Except under subparagraph (ii), an offense under
15 subsection (a)(4) is a felony of the second degree.

16 (ii) If the actor's intent upon entering the

1 building, structure or portion under subparagraph (i) is
2 to commit theft of a controlled substance or designer
3 drug as those terms are defined in section 2 of the act
4 of April 14, 1972 (P.L.233, No.64), known as The
5 Controlled Substance, Drug, Device and Cosmetic Act,
6 burglary is a felony of the first degree.

7 * * *

8 Section 2. Section 3701(b) of Title 18 is amended to read:

9 § 3701. Robbery.

10 * * *

11 (b) Grading.--[Robbery]

12 (1) Except as provided under paragraph (2), robbery
13 under subsection (a) (1) (iv) and (vi) is a felony of the
14 second degree; robbery under subsection (a) (1) (v) is a felony
15 of the third degree; otherwise, it is a felony of the first
16 degree.

17 (2) If the object of a robbery under paragraph (1) is a
18 controlled substance or designer drug as those terms are
19 defined in section 2 of the act of April 14, 1972 (P.L.233,
20 No.64), known as The Controlled Substance, Drug, Device and
21 Cosmetic Act, robbery is a felony of the first degree.

22 Section 3. Section 3903(a) of Title 18 is amended by adding
23 a paragraph to read:

24 § 3903. Grading of theft offenses.

25 (a) Felony of the second degree.--Theft constitutes a felony
26 of the second degree if:

27 * * *

28 (5) The property stolen is a controlled substance or
29 designer drug as those terms are defined in section 2 of the
30 act of April 14, 1972 (P.L.233, No.64), known as The

1 Controlled Substance, Drug, Device and Cosmetic Act.

2 * * *

3 Section 4. The amendment or addition of 18 Pa.C.S. §§
4 3502(c)(2), 3701(b) and 3903(a)(5) shall apply to offenses
5 committed on or after the effective date of this section.

6 Section 5. This act shall take effect in 60 days.