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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 544 Session of  
2021

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INTRODUCED BY BOBACK, MILLARD, HILL-EVANS, DRISCOLL, JAMES,  
KINSEY, IRVIN, CIRESI, PISCIOTTANO, PICKETT, STAMBAUGH,  
SANCHEZ, HELM, CONKLIN, SNYDER, N. NELSON, LONGIETTI,  
SCHLEGEL CULVER, NEILSON, GLEIM, WHEELAND, B. MILLER, WARREN  
AND KINKEAD, FEBRUARY 16, 2021

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REFERRED TO COMMITTEE ON JUDICIARY, FEBRUARY 16, 2021

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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.