

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 349 Session of 2017

INTRODUCED BY GREENLEAF, FEBRUARY 15, 2017

REFERRED TO JUDICIARY, FEBRUARY 15, 2017

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
 2 Consolidated Statutes, in falsification and intimidation,
 3 prohibiting the simulation of legal process and related acts
 4 and the use of unofficial license plates; and imposing
 5 penalties.

6 The General Assembly of the Commonwealth of Pennsylvania
 7 hereby enacts as follows:

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

10 § 4916. Simulated legal process, impersonating public official
 11 or legal tribunal and hindering public official.

12 (a) Simulated legal process.--A person who simulates legal
 13 process, including, but not limited to, actions affecting title
 14 to real or personal property, indictments, subpoenas, warrants,
 15 injunctions, liens, orders, judgments or any legal documents or
 16 proceedings, knowing or having reason to know that the contents
 17 of the documents or proceedings or basis for the action to be
 18 fraudulent commits a misdemeanor of the second degree.

19 (b) Impersonating public official or legal tribunal.--A
 20 person who deliberately impersonates or falsely acts as a public

1 official or legal tribunal, including, but not limited to, a
2 judge, prosecutor, sheriff, deputy, constable or other court
3 personnel or law enforcement authority in connection with or
4 related to any legal process affecting any person or property or
5 otherwise takes any action under color of law against any person
6 or property commits a misdemeanor of the second degree.

7 (c) Hindering public official.--A person who falsely under
8 color of law attempts to influence, intimidate or hinder a
9 public official or law enforcement officer in the discharge of
10 his official duties by threat of or actual physical violence,
11 harassment, through simulated legal process or by other unlawful
12 act commits a misdemeanor of the second degree.

13 (d) Exceptions.--

14 (1) Nothing in this section shall make unlawful an act
15 of a law enforcement officer, public official or legal
16 tribunal which is performed under lawful authority.

17 (2) Nothing in this section shall prohibit persons from
18 assembling freely to express opinions or designate group
19 affiliation or association.

20 (3) Nothing in this section shall prohibit or limit a
21 person's lawful and legitimate access to the courts or
22 prevent a person from instituting or responding to legitimate
23 and lawful legal process.

24 (e) Definitions.--As used in this section, the following
25 words and phrases shall have the meanings given to them in this
26 subsection:

27 "Legal process." A document or order issued by a court or
28 other legal tribunal filed or recorded for the purpose of
29 exercising jurisdiction or presenting a claim against a person
30 or property for the purpose of directing a person to appear

1 before a court or other legal tribunal or for the purpose of
2 directing a person to perform or refrain from performing a
3 specified act. The term includes, but is not limited to, a
4 summons, lien, complaint, warrant, injunction, writ, notice,
5 pleading, subpoena or order.

6 "Legal tribunal." A court, magisterial district judge or
7 other judicial officer vested with the power to enter an order
8 in a matter. The term includes a government unit when performing
9 quasi-judicial functions.

10 § 4917. Unofficial license plates.

11 A person who operates a vehicle with an unofficial license
12 plate not authorized under 75 Pa.C.S. (relating to vehicles) or
13 the law of another jurisdiction commits a misdemeanor of the
14 third degree.

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