

No. 2019-103

AN ACT

HB 1772

Amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in burglary and other criminal intrusion, further providing for the offense of criminal trespass.

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

Section 1. Section 3503(b)(1) of Title 18 of the Pennsylvania Consolidated Statutes is amended, the subsection is amended by adding a paragraph and the section is amended by adding a subsection to read:

§ 3503. Criminal trespass.

* * *

(b) Defiant trespasser.—

(1) A person commits an offense if, knowing that he is not licensed or privileged to do so, he enters or remains in any place as to which notice against trespass is given by:

(i) actual communication to the actor;

(ii) posting in a manner prescribed by law or reasonably likely to come to the attention of intruders;

(iii) fencing or other enclosure manifestly designed to exclude intruders;

(iv) notices posted in a manner prescribed by law or reasonably likely to come to the person's attention at each entrance of school grounds that visitors are prohibited without authorization from a designated school, center or program official; **[or]**

(v) an actual communication to the actor to leave school grounds as communicated by a school, center or program official, employee or agent or a law enforcement officer[.]; **or**

(vi) subject to paragraph (3), the placement of identifying purple paint marks on trees or posts on the property which are:

(A) vertical lines of not less than eight inches in length and not less than one inch in width;

(B) placed so that the bottom of the mark is not less than three feet from the ground nor more than five feet from the ground; and

(C) placed at locations that are readily visible to a person approaching the property and no more than 100 feet apart.

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(3) Paragraph (1)(vi) shall not apply in a county of the first class or a county of the second class.

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(c.1) Applicability.—This section shall not apply to an unarmed person who enters onto posted property for the sole purpose of retrieving a hunting dog.

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

APPROVED—The 27th day of November, A.D. 2019

TOM WOLF