

No. 1978-76

## AN ACT

SB 189

Amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, redefining parts of the offense of criminal trespass.

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

Section 1. Subsection (a) of section 3503 of Title 18, act of November 25, 1970 (P.L.707, No.230), known as the Pennsylvania Consolidated Statutes, is amended to read:

§ 3503. Criminal trespass.

(a) Buildings and occupied structures.—

(1) A person commits an offense if, knowing that he is not licensed or privileged to do so, he ~~[enters or gains entrance by subterfuge or surreptitiously remains in any building or occupied structure, or separately secured or occupied portion thereof.];~~

*(i) enters, gains entry by subterfuge or surreptitiously remains in any building or occupied structure or separately secured or occupied portion thereof; or*

*(ii) breaks into any building or occupied structure or separately secured or occupied portion thereof.*

(2) ~~[An offense under this subsection is a felony of the second degree.] An offense under paragraph (1)(i) is a felony of the third degree, and an offense under paragraph (1)(ii) is a felony of the second degree.~~

(3) *As used in this subsection:*

*“Breaks into.” To gain entry by force, breaking, intimidation, unauthorized opening of locks, or through an opening not designed for human access.*

\* \* \*

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

APPROVED—The 23rd day of June, A. D. 1978.

MILTON J. SHAPP