

No. 1988-62

AN ACT

HB 542

Amending the act of July 28, 1953 (P.L.723, No.230), entitled, as amended, "An act relating to counties of the second class and second class A; amending, revising, consolidating and changing the laws relating thereto," further providing for penalties for damage to or theft of grave markers or headstones.

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

Section 1. Section 2113(l) of the act of July 28, 1953 (P.L.723, No.230), known as the Second Class County Code, is amended to read:

Section 2113. Markers on Graves; Headstones.—* * *

(l) Any person who shall wilfully, maliciously or carelessly destroy, mutilate, remove or deface any grave marker or headstone placed or erected under the provisions of this section shall be guilty of **[a misdemeanor, and, upon conviction thereof, shall be sentenced to pay a fine not to exceed five hundred dollars (\$500) or suffer imprisonment not to exceed two years, or both]** *the grade of offense in relation to the dollar amount of the theft or damage done in accordance with 18 Pa.C.S. § 3903 (relating to grading of theft offenses).*

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

APPROVED—The 13th day of May, A. D. 1988.

ROBERT P. CASEY