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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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SENATE BILL

No. 152 Session of  
2013

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INTRODUCED BY GREENLEAF, VULAKOVICH AND FARNESE,  
JANUARY 15, 2013

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REFERRED TO JUDICIARY, JANUARY 15, 2013

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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; 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

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

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

14 (d) Exceptions.--

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

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

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

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

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

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

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

11 § 4917. Unofficial license plates.

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

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