

No. 1999-8

## AN ACT

HB 124

Amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, prohibiting sexual intercourse with animals; further providing for theft from a motor vehicle; and making certain conduct in public while under the influence of a controlled substance an offense.

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

Section 1. Title 18 of the Pennsylvania Consolidated Statutes is amended by adding a section to read:

**§ 3129. Sexual intercourse with animal.**

*A person who engages in any form of sexual intercourse with an animal commits a misdemeanor of the second degree.*

Section 2. Section 3934 of Title 18, added December 21, 1998 (P.L.1103, No.149), is amended to read:

**§ 3934. Theft from a motor vehicle.**

(a) Offense defined.—A person commits the offense of theft from a motor vehicle if he unlawfully takes *or attempts to take* possession of, carries away or exercises unlawful control over any movable property of another from a motor vehicle with the intent to deprive him thereof.

(b) Grading.—

(1) An offense under this section is:

(i) a misdemeanor of the third degree if the amount involved was less than \$50; or

(ii) a misdemeanor of the second degree if the amount involved was \$50 or more but less than \$200; or

(iii) a misdemeanor of the first degree if the amount involved was greater than \$200.

(2) When the offense is a third or subsequent offense within a five-year period, regardless of the amount involved and regardless of the grading of the prior offenses, an offense under this section is a **[misdemeanor of the first degree] felony of the third degree.**

Section 3. Section 5505 of Title 18 is amended to read:

**§ 5505. Public drunkenness and similar misconduct.**

A person is guilty of a summary offense if he appears in any public place manifestly under the influence of alcohol *or a controlled substance, as defined in the act of April 14, 1972 (P.L.233, No.64), known as The Controlled Substance, Drug, Device and Cosmetic Act, except those taken pursuant to the lawful order of a practitioner, as defined in The Controlled Substance, Drug, Device and Cosmetic Act,* to the degree that he may

endanger himself or other persons or property, or annoy persons in his vicinity.

Section 4. This act shall take effect in 60 days.

APPROVED—The 18th day of June, A.D. 1999.

THOMAS J. RIDGE