

No. 69

AN ACT

HB 455

Amending the act of June 24, 1939 (P.L.872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," further defining "state institution" with reference to trespassing and changing the penalties.

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

Section 1. Section 955, act of June 24, 1939 (P.L.872), known as "The Penal Code," is amended to read:

Section 955. Trespassing on Grounds of State Institutions.—The term "state institution," as used in this section, includes all penal, reformatory, or correctional institutions, hospitals for the insane, or any institution for feeble-minded or epileptic persons, for inebriates, or for juvenile delinquents and dependents, *and all school districts or authorities and educational institutions receiving appropriated moneys from the Commonwealth*, and all charitable institutions whatsoever, within this Commonwealth, maintained in whole or in part by the Commonwealth, and whose boards of inspectors, managers, trustees or directors are, respectively, appointed by [the Governor] *elected officers or officials or are elected officials.*

The term "property" as used in this section includes all buildings, structures and land owned or leased by State institutions.

The term "enter or remain unlawfully" means to enter or remain upon property without license or privilege to do so. A person who enters or remains in or upon property which is at the time open to the public does so with license and privilege unless he fails or refuses to obey an order not to enter or remain, personally communicated to him or publicly announced, by a person authorized to give such order. A license or privilege to enter or remain on property which is only partly open to the public is not a license or privilege to enter or remain in any part of the property which is not open to the public.

Whoever wilfully [trespasses upon the land or premises belonging to the Commonwealth, and appurtenant to any state institution, or whoever, after notice from an officer of any state institution to leave said land, refuses to do so,] *enters or remains unlawfully upon property of State institutions* shall, upon conviction thereof in a summary proceeding, be sentenced to pay a fine of not more than [ten dollars (\$10)] *five hundred dollars (\$500)* and costs, [and in default of the payment of such fine and costs,] *or shall be imprisoned in the county jail [one (1) day for each dollar of fine and costs unpaid] for a term not exceeding six months, or both.*

APPROVED—The 6th day of August, A. D. 1971.

MILTON J. SHAPP

The foregoing is a true and correct copy of Act of the General Assembly
No. 69.

A handwritten signature in black ink, reading "C. McLaughlin Tuckey". The signature is written in a cursive style with a large initial "C" and a prominent flourish at the end.

Secretary of the Commonwealth.