
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2763 Session of
2022

INTRODUCED BY KENYATTA, RABB, SCHLOSSBERG, KINSEY, WEBSTER,
SANCHEZ, MADDEN, A. DAVIS, PARKER, HOHENSTEIN AND KINKEAD,
AUGUST 9, 2022

REFERRED TO COMMITTEE ON JUDICIARY, AUGUST 9, 2022

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, in obstructing governmental
3 operations, providing for the offense of seditious conspiracy
4 against the Commonwealth; and, in abuse of office, providing
5 for the offense of seditious conspiracy against the
6 Commonwealth while holding public office.

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

9 Section 1. Title 18 of the Pennsylvania Consolidated
10 Statutes is amended by adding sections to read:

11 § 5113. Seditious conspiracy against the Commonwealth.

12 (a) Offense defined.--A person is guilty of seditious
13 conspiracy against the Commonwealth if the person conspires with
14 one or more other persons to:

15 (1) overthrow, put down or destroy by force the
16 government of the Commonwealth;

17 (2) levy war against the government of the Commonwealth;

18 (3) oppose by force the authority of the government of
19 the Commonwealth; or

1 (4) by force prevent, hinder or delay the execution of
2 any law of the Commonwealth or by force seize, take or
3 possess any property of the Commonwealth contrary to the
4 authority of the Commonwealth.

5 (b) Penalty.--A person who violates subsection (a) shall,
6 upon conviction, be sentenced to pay a fine of \$10,000, complete
7 75 hours of community service and be disqualified from receipt
8 of any State grant funding, award of any State contract and
9 issuance of any license, certificate, registration or permit for
10 an occupation or profession under their respective practice
11 acts.

12 (c) Construction.--Notwithstanding any other provision of
13 this title, this section shall not be construed to limit the
14 rights of the citizens of this Commonwealth in Article I of the
15 Constitution of Pennsylvania relating to freedom of the press
16 and speech.

17 § 5304. Seditious conspiracy against the Commonwealth while
18 holding public office.

19 (a) Offense defined.--A public servant is guilty of
20 seditious conspiracy against the Commonwealth if the person
21 conspires with one or more other persons to:

22 (1) overthrow, put down or destroy by force the
23 government of the Commonwealth;

24 (2) levy war against the government of the Commonwealth;

25 (3) oppose by force the authority of the government of
26 the Commonwealth; or

27 (4) by force prevent, hinder or delay the execution of
28 any law of the Commonwealth or by force seize, take or
29 possess any property of the Commonwealth contrary to the
30 authority of the Commonwealth.

1 (b) Penalty.--A public servant who violates subsection (a)
2 shall, upon conviction, be sentenced to pay a fine of \$15,000,
3 complete 100 hours of community service and be disqualified from
4 receipt of any State grant funding, award of any State contract
5 and issuance of any license, certificate, registration or permit
6 for an occupation or profession under their respective practice
7 acts.

8 (c) Construction.--Notwithstanding any other provision of
9 this title, this section shall not be construed to limit the
10 rights of the citizens of this Commonwealth in Article I of the
11 Constitution of Pennsylvania relating to freedom of the press
12 and speech.

13 (d) Definition.--As used in this section, the term "public
14 servant" shall have the same meaning given to it under section
15 4501 (relating to definitions).

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