

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1071 Session of 2025

INTRODUCED BY CAPPELLETTI, SAVAL, MUTH, STREET, FONTANA,
KEARNEY, TARTAGLIONE, HAYWOOD, COLLETT, SANTARSIERO, COMMITTA,
L. WILLIAMS, HUGHES, A. WILLIAMS AND KANE, OCTOBER 21, 2025

REFERRED TO JUDICIARY, OCTOBER 21, 2025

AN ACT

1 Amending Titles 18 (Crimes and Offenses) and 53 (Municipalities
2 Generally) of the Pennsylvania Consolidated Statutes, in
3 abuse of office, providing for the offense of criminal
4 concealment by law enforcement officer; and, in municipal
5 police education and training, providing for visible badge
6 requirement.

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 a section to read:

11 § 5304. Criminal concealment by law enforcement officer.

12 (a) Offense defined.--Except as provided in subsection (b),
13 a law enforcement officer is guilty of criminal concealment if
14 the law enforcement officer:

15 (1) Wears a mask, facial covering, disguise or any other
16 garment that obscures the identity of the law enforcement
17 officer while performing official duties and interacting with
18 the public.

19 (2) Intentionally obscures, covers, removes or otherwise

1 conceals a badge, tag, label or other identifying information
2 required to be visibly displayed while performing official
3 duties and interacting with the public.

4 (b) Exceptions.--

5 (1) A law enforcement officer shall not be in violation
6 of subsection (a)(1) if the officer:

7 (i) Wears a medical-grade mask or respirator to
8 prevent the transmission of airborne illnesses.

9 (ii) Wears protective equipment designed to
10 safeguard the face or head issued as part of duties
11 associated with a Special Weapons and Tactics team.

12 (iii) Wears an item as a mask designed to protect
13 against smoke or hazardous conditions during fire
14 response or similar emergencies.

15 (2) A law enforcement officer shall not be in violation
16 of subsection (a)(1) or (2) if the law enforcement officer is
17 engaged in an undercover assignment, approved by a
18 supervisor, in which concealing identity is necessary for
19 investigating criminal offenses.

20 (c) Grading.--A violation of this section shall be a
21 misdemeanor of the second degree.

22 (d) Sentencing.--The Pennsylvania Commission on Sentencing,
23 pursuant to 42 Pa.C.S. § 2154 (relating to adoption of
24 guidelines for sentencing), shall provide for a sentencing
25 enhancement applicable to an offense under this section when the
26 conduct results in injury to a civilian or in the improper
27 seizure or detention of a civilian without the requisite
28 reasonable suspicion or probable cause. The enhancement shall
29 reflect the gravity of the harm caused and the heightened
30 culpability associated with an abuse of authority.

1 (e) Definition.--As used in this section, the term "law
2 enforcement officer" includes Federal law enforcement officials
3 and a "peace officer" as defined in section 501 (relating to
4 definitions).

5 Section 2. Title 53 is amended by adding a section to read:
6 § 2173. Visible badge requirement.

7 (a) Display.--Except as provided in subsection (b), a law
8 enforcement officer in a county, city or other municipality
9 while performing official duties and interacting with the public
10 must:

11 (1) Visibly display a badge, tag or label clearly
12 identifying the law enforcement officer and the law
13 enforcement agency to which the officer belongs at all times.

14 (2) Produce a badge, tag or label upon request.

15 (b) Exception.--The provisions of subsection (a) shall not
16 apply to a law enforcement officer engaged in an undercover
17 assignment, approved by a supervisor, in which concealing
18 identity is necessary for investigating criminal offenses.

19 (c) Cause of action.--Any aggrieved person shall have the
20 right to bring an action in a court of competent jurisdiction in
21 this Commonwealth against any law enforcement officer under this
22 section on the grounds that the law enforcement officer
23 intentionally violated the provisions of this section.

24 (d) Remedies.--A court of competent jurisdiction may order
25 the following remedies:

26 (1) An order requiring the county, city or other
27 municipality, department or agency to cease and desist the
28 unlawful practice.

29 (2) Payment of compensatory damages, provided that an
30 aggrieved person shall make a reasonable effort to mitigate

1 any damages.

2 (3) Payment of reasonable attorney fees.

3 (4) Payment of court costs.

4 (5) Other equitable relief, including, but not limited
5 to, the dismissal or removal from office of the law
6 enforcement officer.

7 (e) Definition.--As used in this section, the term "law
8 enforcement officer" includes Federal law enforcement officials
9 and a "peace officer" as defined in 18 Pa.C.S. § 501 (relating
10 to definitions).

11 Section 3. This act shall take effect in 60 days.