§ 301 Requirement of voluntary act.

Pennsylvania Statutes

18 Pa.C.S. CRIMES AND OFFENSES

Part I PRELIMINARY PROVISIONS

Chapter 3 CULPABILITY

Current through P.A. Acts 2016-101

§ 301 Requirement of voluntary act

(a) **General rule.**—A person is not guilty of an offense unless his liability is based on conduct which includes a voluntary act or the omission to perform an act of which he is physically capable.

(b) **Omission as basis of liability.**—Liability for the commission of an offense may not be based on an omission unaccompanied by action unless:

(1) the omission is expressly made sufficient by the law defining the offense; or

(2) a duty to perform the omitted act is otherwise imposed by law.

(c) **Possession as an act.**—Possession is an act, within the meaning of this section, if the possessor knowingly procured or received the thing possessed or was aware of his control thereof for a sufficient period to have been able to terminate his possession.

Cite as 18 Pa.C.S. § 301