

TITLE 6: CRIMES AND CRIMINAL PROCEDURE
GENERAL PROVISIONS

§ 106. Territorial Applicability.

(a) Except as otherwise provided in this section, a person may be convicted under the laws of the Commonwealth of an offense committed by his or her own conduct or the conduct of another for which the person is legally accountable, if:

(1) Either the conduct or the result of conduct which is an element of the offense occurs within this jurisdiction; or

(2) Conduct occurring outside this jurisdiction is sufficient under the law of this jurisdiction to constitute an attempt to commit an offense within this jurisdiction; or

(3) Conduct occurring outside this jurisdiction is sufficient under the law of this jurisdiction to constitute a conspiracy to commit an offense within this jurisdiction and an overt act in furtherance of the conspiracy occurs within this jurisdiction; or

(4) Conduct occurring within this jurisdiction establishes complicity in the commission of, or an attempt, solicitation, or conspiracy to commit, an offense in another jurisdiction which also is an offense under the law of this jurisdiction; or

(5) The offense consists of the omission, while within or outside this jurisdiction, to perform a legal duty imposed by the laws of the Commonwealth with respect to domicile, residence, or a relationship to a person, thing, or transaction in this jurisdiction; or

(6) The offense is based on a statute of the Commonwealth which expressly prohibits conduct outside this jurisdiction, when the conduct bears a reasonable relation to a legitimate interest of the Commonwealth and the defendant knows or should know that the conduct is likely to affect that interest.

(b) Subsection (a)(1) of this section does not apply when either causing a specified result or a purpose to cause or danger of causing such a result is an element of an offense and the result occurs or is designed or likely to occur only in another jurisdiction where the conduct charged would not constitute an offense, unless a legislative purpose plainly appears to declare the conduct criminal regardless of the place of the result.

(c) Subsection (a)(1) of this section does not apply when causing a particular result is an element of an offense and the result is caused by conduct occurring outside the Commonwealth which would not constitute an offense if the result had occurred there, unless the actor purposely or knowingly caused the result within the jurisdiction.

(d) When the offense is homicide, either the death of the victim or the bodily impact causing death constitutes a “result,” within the meaning of subsection (a)(1) of this section and if the body of a homicide victim is found within the jurisdiction it is presumed that the result occurred within the jurisdiction.

(e) This Commonwealth includes the land and water and the air space above the land and water with respect to which the Commonwealth has legislative jurisdiction.

Source: PL 3-71, § 1 (§ 103).