

AMENDMENTS TO HOUSE BILL NO. 159

Sponsor: SENATOR GREENLEAF

Printer's No. 123

1 Amend Bill, page 1, line 3, by striking out "and" and
2 inserting a comma

3 Amend Bill, page 1, line 3, by inserting after "offenses"
4 and for adjudication

5 Amend Bill, page 4, line 5, by striking out "Section
6 6304.1(a)" and inserting

7 Sections 6304.1(a) and 6341(b)

8 Amend Bill, page 4, line 5, by striking out "is" and
9 inserting

10 are

11 Amend Bill, page 4, by inserting between lines 26 and 27

12 § 6341. Adjudication.

13 * * *

14 (b) Finding of delinquency.--If the court finds on proof
15 beyond a reasonable doubt that the child committed the acts by
16 reason of which he is alleged to be delinquent it shall enter
17 such finding on the record and shall specify the particular
18 offenses, including the grading and counts thereof which the
19 child is found to have committed. The court shall then proceed
20 immediately or at a postponed hearing, which shall occur not
21 later than 20 days after such finding if the child is in
22 detention or not more than 60 days after such finding if the
23 child is not in detention, to hear evidence as to whether the
24 child is in need of treatment, supervision or rehabilitation, as
25 established by a preponderance of the evidence, and to make and
26 file its findings thereon. This time limitation may only be
27 extended pursuant to the agreement of the child and the attorney
28 for the Commonwealth. The court's failure to comply with the
29 time limitations stated in this section shall not be grounds for
30 discharging the child or dismissing the proceeding. In the
31 absence of evidence to the contrary, evidence of the commission

1 of acts which constitute a felony shall be sufficient to sustain
2 a finding that the child is in need of treatment, supervision or
3 rehabilitation. If the court finds that the child is not in need
4 of treatment, supervision or rehabilitation it shall dismiss the
5 proceeding and discharge the child from any detention or other
6 restriction theretofore ordered.
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