

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL
No. 2606 Session of
1978

INTRODUCED BY RHODES, SCIRICA, IRVIS, SELTZER, BERSON, SPENCER,
RYAN, BROWN, COHEN, DeWEESE, DUMAS, LEVIN, PRATT, OLIVER,
RICHARDSON, WHITE, WILLIAMS, FISHER, GREENLEAF, HASKELL,
W. D. HUTCHINSON, MILLER, MOEHLMANN, WAGNER, KUKOVICH,
FISCHER, FREIND, GALLAGHER, GLEESON, GRIECO, HARPER,
D. S. HAYES, HOFFEL, KERNICK, McCLATCHY, MADIGAN, MEBUS,
MELUSKEY, O'KEEFE, PYLES, QUEST, REED, L. E. SMITH,
STAPLETON, SWEET, TENAGLIO, WEIDNER AND WISE, JUNE 21, 1978

REFERRED TO COMMITTEE ON JUDICIARY, JUNE 21, 1978

AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the
2 Pennsylvania Consolidated Statutes, changing the statute of
3 limitations for certain offenses.

4 The General Assembly of the Commonwealth of Pennsylvania
5 hereby enacts as follows:

6 Section 1. Subsection (c) of section 5552 of Title 42, act
7 of November 25, 1970 (P.L.707, No.230), known as the
8 Pennsylvania Consolidated Statutes, is amended to read:

9 § 5552. Other offenses.

10 * * *

11 (c) Exceptions.--If the period prescribed in subsection (a)
12 or subsection (b) has expired, a prosecution may nevertheless be
13 commenced for:

14 (1) Any offense a material element of which is either
15 fraud or a breach of fiduciary obligation within one year

1 after discovery of the offense by an aggrieved party or by a
2 person who has a legal duty to represent an aggrieved party
3 and who is himself not a party to the offense, but in no case
4 shall this paragraph extend the period of limitation
5 otherwise applicable by more than three years.

6 (2) Any offense committed by a public officer or
7 employee in the course of or in connection with his office or
8 employment at any time when the defendant is in public office
9 or employment or within [two] five years thereafter, but in
10 no case shall this paragraph extend the period of limitation
11 otherwise applicable by more than [three] ten years.

12 * * *

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

14 BENNETT, BURNS, CALTAGIRONE, COWELL, DAVIES, DORR, FEE,