

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1114 Session of
1985

INTRODUCED BY SALOOM, BOWLEY, DALEY, JAROLIN, CAWLEY, BELFANTI,
HALUSKA AND OLASZ, MAY 1, 1985

REFERRED TO COMMITTEE ON JUDICIARY, MAY 1, 1985

AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the
2 Pennsylvania Consolidated Statutes, further eliminating a
3 mitigating circumstance in sentencing.

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

6 Section 1. Section 9752 of Title 42 of the Pennsylvania
7 Consolidated Statutes is amended by adding a subsection to read:

8 § 9752. Sentencing proceeding generally.

9 * * *

10 (c) Intoxication or drugged condition.--Except as provided
11 in sections 9711(e)(3) (relating to mitigating circumstances)
12 and 9754(c)(13) (relating to specific conditions), the condition
13 of the defendant as a result of voluntary intoxication or
14 voluntary drug usage shall not be a mitigating circumstance and
15 shall not be used by a court to reduce or shorten the sentence
16 to be imposed.

17 Section 2. This act applies to all convictions arising on or
18 after the effective date.

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