

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 851 Session of
2005

INTRODUCED BY ORIE, RHOADES, COSTA, LOGAN AND RAFFERTY,
SEPTEMBER 8, 2005

REFERRED TO JUDICIARY, SEPTEMBER 8, 2005

AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the
2 Pennsylvania Consolidated Statutes, further providing for
3 effect of adjudication and for sentences for second and
4 subsequent offenses.

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

7 Section 1. Section 6354 of Title 42 of the Pennsylvania
8 Consolidated Statutes is amended to read:

9 § 6354. Effect of adjudication.

10 (a) General rule.--An order of disposition or other
11 adjudication in a proceeding under this chapter is not a
12 conviction of crime except as provided in subsection (b)(5) and
13 does not impose any civil disability ordinarily resulting from a
14 conviction or operate to disqualify the child in any civil
15 service application or appointment.

16 (b) Effect in subsequent judicial matters.--The disposition
17 of a child under this chapter may only be used against him:

18 (1) in dispositional proceedings after conviction for

1 the purposes of a presentence investigation and report if the
2 child was adjudicated delinquent;

3 (2) in a subsequent juvenile hearing, whether before or
4 after reaching majority;

5 (3) if relevant, where he has put his reputation or
6 character in issue in a civil matter; [or]

7 (4) in a criminal proceeding, if the child was
8 adjudicated delinquent for an offense, the evidence of which
9 would be admissible if committed by an adult[.]; or

10 (5) in dispositional proceedings after conviction for
11 the purpose of sentencing for second and subsequent offenses
12 under section 9714 (relating to sentences for second and
13 subsequent offenses).

14 Section 2. Section 9714 of Title 42 is amended by adding a
15 subsection to read:

16 § 9714. Sentences for second and subsequent offenses.

17 * * *

18 (f.1) Juvenile adjudication.--A conviction, adjudication of
19 delinquency or grant of a consent decree under Chapter 63
20 (relating to juvenile matters) based on an offense under
21 subsection (g) or of an equivalent offense in this or other
22 jurisdictions shall be considered as a prior conviction for
23 purposes of this section.

24 * * *

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