

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1827 Session of 2019

INTRODUCED BY KEEFER, RYAN, BERNSTINE, DeLUCA, GREINER, GABLER, KNOWLES, RAPP, JONES, ECKER, DUSH, ZIMMERMAN, JAMES, HELM, ROEBUCK, GROVE, KORTZ, MOUL, GLEIM AND GILLEN, SEPTEMBER 18, 2019

AS AMENDED ON THIRD CONSIDERATION, HOUSE OF REPRESENTATIVES, MAY 20, 2020

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania  
2 Consolidated Statutes, in criminal homicide, further  
3 providing for the offense of causing or aiding suicide.

4 This act may be referred to as Shawn's Law.

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

7 Section 1. Section 2505 of Title 18 of the Pennsylvania  
8 Consolidated Statutes is amended by adding a subsection to read:

9 § 2505. Causing or aiding suicide.

10 \* \* \*

11 (c) Sentencing.--

12 (1) The Pennsylvania Commission on Sentencing, in  
13 accordance with 42 Pa.C.S. § 2154 (relating to adoption of  
14 guidelines for sentencing), shall provide for a sentence  
15 enhancement within its guidelines for an offense under this  
16 section when at the time of the offense the person who  
17 committed suicide or was aided or solicited to commit suicide

1 is under 18 years of age or has an intellectual disability. <--

2 ~~(2) For purposes of this subsection, the term~~  
3 ~~"intellectual disability" shall mean, regardless of the age~~  
4 ~~of the person, significantly subaverage general intellectual~~  
5 ~~functioning that is accompanied by significant limitations in~~  
6 ~~adaptive functioning in at least two of the following skill~~  
7 ~~areas:~~

8 ~~(i) Communication.~~

9 ~~(ii) Self care.~~

10 ~~(iii) Home living.~~

11 ~~(iv) Social and interpersonal skills.~~

12 ~~(v) Use of community resources.~~

13 ~~(vi) Self direction.~~

14 ~~(vii) Functional academic skills.~~

15 ~~(viii) Work.~~

16 ~~(ix) Health.~~

17 ~~(x) Safety.~~

18 ~~The term shall include an autism spectrum disorder,~~  
19 ~~regardless of the age of the person. OR AUTISM SPECTRUM~~ <--  
20 ~~DISORDER.~~

21 (2) AS USED IN THIS SUBSECTION, THE FOLLOWING WORDS AND  
22 PHRASES SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS  
23 PARAGRAPH UNLESS THE CONTEXT CLEARLY INDICATES OTHERWISE:

24 "AUTISM SPECTRUM DISORDER." AS DEFINED UNDER 42 PA.C.S.  
25 § 5992 (RELATING TO DEFINITIONS), REGARDLESS OF THE AGE OF  
26 THE INDIVIDUAL.

27 "INTELLECTUAL DISABILITY." REGARDLESS OF THE AGE OF THE  
28 INDIVIDUAL, SIGNIFICANTLY SUBAVERAGE GENERAL INTELLECTUAL  
29 FUNCTIONING THAT IS ACCOMPANIED BY SIGNIFICANT LIMITATIONS IN  
30 ADAPTIVE FUNCTIONING IN AT LEAST TWO OF THE FOLLOWING SKILL

1        AREAS:

2                    (I) COMMUNICATION.

3                    (II) SELF-CARE.

4                    (III) HOME LIVING.

5                    (IV) SOCIAL AND INTERPERSONAL SKILLS.

6                    (V) USE OF COMMUNITY RESOURCES.

7                    (VI) SELF-DIRECTION.

8                    (VII) FUNCTIONAL ACADEMIC SKILLS.

9                    (VIII) WORK.

10                   (IX) HEALTH.

11                   (X) SAFETY.

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