

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL**No. 78** Session of
2011

INTRODUCED BY BENNINGHOFF, HANNA, STABACK, BARRAR, CONKLIN,
D. COSTA, CREIGHTON, CUTLER, FABRIZIO, FLECK, GABLER, GEIST,
GILLESPIE, GINGRICH, GROVE, HELM, HENNESSEY, KAUFFMAN,
KNOWLES, KORTZ, MARSICO, MILLER, OBERLANDER, O'NEILL,
PASHINSKI, PYLE, RAPP, READSHAW, ROAE, ROCK, K. SMITH, STERN,
SWANGER, TALLMAN, VULAKOVICH, WATSON, MAHONEY, MURT,
HORNAMAN, DENLINGER, DAVIS AND MILNE, JANUARY 25, 2011

AS REPORTED FROM COMMITTEE ON GAME AND FISHERIES, HOUSE OF
REPRESENTATIVES, AS AMENDED, MARCH 1, 2011

AN ACT

1 Amending Title 30 (Fish) of the Pennsylvania Consolidated
2 Statutes, further providing for the offense of homicide by
3 watercraft while operating under influence.

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

6 Section 1. Section 5502.1(a) of Title 30 of the Pennsylvania
7 Consolidated Statutes is amended to read:

8 § 5502.1. Homicide by watercraft while operating under
9 influence.

10 (a) Offense defined.--Any person who unintentionally causes
11 the death of another person as the direct result of a violation
12 of section 5502 (relating to operating watercraft under
13 influence of alcohol or controlled substance) and who is
14 convicted of violating section 5502 commits a felony of the
15 [third] second degree when the violation is the cause of death

1 and the sentencing court shall order the person to serve a
2 minimum term of imprisonment of not less than three years. A ←
3 CONSECUTIVE THREE-YEAR TERM OF IMPRISONMENT SHALL BE IMPOSED FOR
4 EACH VICTIM WHOSE DEATH IS THE RESULT OF A VIOLATION OF SECTION
5 5502.

6 * * *

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