

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 717

Session of
1985

INTRODUCED BY B. SMITH, MAYERNIK, PRATT, J. L. WRIGHT,
MOEHLMANN, RYBAK, LETTERMAN, TRELLO, MRKONIC, PETRARCA,
LASHINGER, MANMILLER, VROON, SAURMAN, PERZEL, JOHNSON, ARTY,
PISTELLA, BOWLEY, NAHILL, BATTISTO, DISTLER, NOYE, COY,
AFFLERBACH, BARLEY, TIGUE, SIRIANNI, E. Z. TAYLOR, DORR,
BOWSER, JACKSON, MILLER, CESSAR, GEIST, LINTON, COWELL,
G. M. SNYDER, CLYMER, COLAFELLA, SEVENTY, BELFANTI, HERMAN,
MICHLOVIC, CIVERA, DeLUCA, BELARDI, BURD, FISCHER, RAYMOND,
MERRY, BUNT, HALUSKA, CARN, BOOK, ITKIN, MICOZZIE, GRUPPO,
BOYES, TELEK, A. C. FOSTER, JR., BROUJOS, BORTNER, PETRONE,
McVERY, CAWLEY, PICCOLA, RICHARDSON AND FOX, MARCH 25, 1985

SENATOR GREENLEAF, JUDICIARY, IN SENATE, AS AMENDED,
DECEMBER 10, 1985

AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the
2 Pennsylvania Consolidated Statutes, further providing for
3 juvenile appearances before district justices; AND EXTENDING <—
4 THE TIME PERIOD FOR THE DISPOSITION OF SUMMARY CASES UNDER
5 TITLE 75.

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

8 Section 1. Title 42 of the Pennsylvania Consolidated
9 Statutes is amended by adding a section to read:

10 § 1521. Juvenile appearances.

11 (A) NOTICE TO PARENTS OR GUARDIANS.--Whenever an individual <—
12 who is under 18 years of age and is not emancipated is charged
13 with a summary offense for which jurisdiction is vested in a
14 district justice under section 1515 (relating to jurisdiction

1 and venue), the district justice shall send a copy of the
2 citation by certified mail, return receipt requested, to the
3 parents or legal guardians of the individual at the time of the
4 filing of the citation. Where the individual is not residing
5 with a parent or legal guardian, the copy of the citation shall
6 be sent to the person with whom the individual resides. In such
7 cases a district justice shall not accept a plea or schedule a
8 hearing before 72 hours has lapsed from the time of the mailing
9 of the notice as required under this section. Failure to provide
10 notice under this section shall not constitute grounds for
11 dismissal of the summary offense.

12 (B) LIMITATION.--NOTHING IN THIS SECTION SHALL APPLY TO <—
13 VIOLATIONS OF TITLE 75 (RELATING TO VEHICLES), EXCEPT FOR 75
14 PA.C.S. § 1543 (RELATING TO DRIVING WHILE OPERATING PRIVILEGE IS
15 SUSPENDED OR REVOKED).

16 SECTION 2. SECTION 5553(E) OF TITLE 42 IS AMENDED TO READ:
17 § 5553. SUMMARY OFFENSES INVOLVING VEHICLES.

18 * * *

19 (E) DISPOSITION OF PROCEEDINGS WITHIN [TWO] FIVE YEARS.--NO
20 PROCEEDINGS SHALL BE HELD OR ACTION TAKEN PURSUANT TO A SUMMARY
21 OFFENSE UNDER TITLE 75 SUBSEQUENT TO [TWO] FIVE YEARS AFTER THE
22 COMMISSION OF THE OFFENSE.

23 Section ~~2~~ 3. This act shall take effect in 60 days. <—