

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1046 Session of
1989

INTRODUCED BY CORNELL, TRELLO, VROON, NAHILL, LAUGHLIN, GEIST,
McVERY, BUNT, SERAFINI, REBER AND LASHINGER, APRIL 5, 1989

REFERRED TO COMMITTEE ON JUDICIARY, APRIL 5, 1989

AN ACT

1 Amending the act of April 9, 1929 (P.L.177, No.175), entitled
2 "An act providing for and reorganizing the conduct of the
3 executive and administrative work of the Commonwealth by the
4 Executive Department thereof and the administrative
5 departments, boards, commissions, and officers thereof,
6 including the boards of trustees of State Normal Schools, or
7 Teachers Colleges; abolishing, creating, reorganizing or
8 authorizing the reorganization of certain administrative
9 departments, boards, and commissions; defining the powers and
10 duties of the Governor and other executive and administrative
11 officers, and of the several administrative departments,
12 boards, commissions, and officers; fixing the salaries of the
13 Governor, Lieutenant Governor, and certain other executive
14 and administrative officers; providing for the appointment of
15 certain administrative officers, and of all deputies and
16 other assistants and employes in certain departments, boards,
17 and commissions; and prescribing the manner in which the
18 number and compensation of the deputies and all other
19 assistants and employes of certain departments, boards and
20 commissions shall be determined," amending the definition of
21 "crime" in relation to crime victims' compensation.

22 The General Assembly of the Commonwealth of Pennsylvania
23 hereby enacts as follows:

24 Section 1. The definition of "crime" in section 477 of the
25 act of April 9, 1929 (P.L.177, No.175), known as The
26 Administrative Code of 1929, amended June 30, 1984 (P.L.458,
27 No.96), is amended to read:

1 Section 477. Definitions.--So far as it relates to the crime
2 victim's compensation provisions, the following terms shall be
3 defined as:

4 * * *

5 "Crime" means an act committed in Pennsylvania which, if
6 committed by a mentally competent, criminally responsible adult,
7 who had no legal exemption or defense, would constitute a crime
8 as defined in and proscribed by Title 18 of the "Pennsylvania
9 Consolidated Statutes," (relating to crimes and offenses) or
10 enumerated in the act of April 14, 1972 (P.L.233, No.64), known
11 as "The Controlled Substance, Drug, Device and Cosmetic Act."[:
12 Provided, however, That no act involving the operation of a
13 motor vehicle which results in injury shall constitute a crime
14 for the purpose of this act unless such injury was intentionally
15 inflicted through the use of a motor vehicle.] The term shall
16 also include offenses under 75 Pa.C.S. §§ 3731 (relating to
17 driving under influence of alcohol or controlled substance) and
18 3732 (relating to homicide by vehicle). No offense involving the
19 operation of a motor vehicle, except offenses under 75 Pa.C.S.
20 §§ 3731 and 3732 which result in injury to another, shall
21 constitute a crime for the purposes of sections 477 through
22 477.4 of this act, unless the injury was intentionally inflicted
23 through the use of a motor vehicle.

24 * * *

25 Section 2. This act shall apply to offenses committed on or
26 after the effective date of this act.

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