

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

## HOUSE BILL

No. 585 Session of  
1993

INTRODUCED BY BLAUM, PICCOLA, HECKLER, O'BRIEN, MASLAND,  
GLADECK, WOGAN, CLARK, E. Z. TAYLOR, DEMPSEY, FAIRCHILD,  
L. I. COHEN, MARSICO, MERRY, FEE, DeLUCA, SEMMEL, CLYMER,  
SCHEETZ, DERMODY, RAYMOND, STISH, FLICK, HERMAN, BATTISTO,  
ARMSTRONG, JAROLIN, HARLEY, TRELLO, MELIO, HASAY, McGEEHAN,  
GERLACH, BARLEY, KELLER, GEIST, ROONEY, NICKOL, M. N. WRIGHT,  
VEON, HALUSKA, PESCI AND GORDNER, MARCH 15, 1993

AS AMENDED ON THIRD CONSIDERATION, HOUSE OF REPRESENTATIVES,  
MARCH 8, 1994

## AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the  
2 Pennsylvania Consolidated Statutes, further providing for  
3 JURISDICTION AND VENUE AND FOR summary offenses in relation <—  
4 to juveniles.

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

7 Section 1. Sections 1123(A)(1), 1515(a)(1) and 6303 of Title <—  
8 42 of the Pennsylvania Consolidated Statutes are amended to  
9 read:

10 § 1123. JURISDICTION AND VENUE. <—

11 (A) GENERAL RULE.--EXCEPT AS OTHERWISE PRESCRIBED BY ANY  
12 GENERAL RULE ADOPTED PURSUANT TO SECTION 503 (RELATING TO  
13 REASSIGNMENT OF MATTERS), THE PHILADELPHIA MUNICIPAL COURT SHALL  
14 HAVE JURISDICTION OF THE FOLLOWING MATTERS:

15 (1) SUMMARY OFFENSES, EXCEPT THOSE WITHIN THE  
16 JURISDICTION OF THE TRAFFIC COURT OF PHILADELPHIA AND THOSE

1 ARISING OUT OF THE SAME EPISODE OR TRANSACTION INVOLVING A  
2 DELINQUENT ACT FOR WHICH A CHILD IS CHARGED AS A DELINQUENT  
3 CHILD UNDER CHAPTER 63 (RELATING TO JUVENILE MATTERS).

4 \* \* \*

5 § 1515. Jurisdiction and venue.

6 (a) Jurisdiction.--Except as otherwise prescribed by general  
7 rule adopted pursuant to section 503 (relating to reassignment  
8 of matters), district justices shall, under procedures  
9 prescribed by general rule, have jurisdiction of all of the  
10 following matters:

11 (1) Summary offenses, except those arising out of the  
12 same episode or transaction involving a delinquent act for  
13 which a child is charged as a delinquent child under Chapter  
14 63 (relating to juvenile matters).

15 \* \* \*

16 § 6303. Scope of chapter.

17 (a) General rule.--This chapter shall apply exclusively to  
18 the following:

19 (1) Proceedings in which a child is alleged to be  
20 delinquent or dependent.

21 (2) Transfers under section 6322 (relating to transfer  
22 from criminal proceedings).

23 (3) Proceedings arising under Subchapter E (relating to  
24 dispositions affecting other jurisdictions).

25 (4) Proceedings under the Interstate Compact on  
26 Juveniles, as set forth in section 731 of the act of June 13,  
27 1967 (P.L.31, No.21), known as the ["Public Welfare Code.["

28 (5) Proceedings in which a child is charged with a  
29 summary offense arising out of the same episode or  
30 transaction involving a delinquent act for which a child is

1 charged as a delinquent child. The summary offense shall be  
2 included in any petition regarding the ancillary delinquent  
3 act. Upon finding a child to have committed a summary  
4 offense, the court may utilize any disposition available to  
5 the minor judiciary where a child is found to have committed  
6 a summary offense, including a finding of guilt on the  
7 summary offense.

8 (b) Minor judiciary.--No child shall be detained, committed  
9 or sentenced to imprisonment by a district justice or a judge of  
10 the minor judiciary.

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