

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 59

Session of
1995

INTRODUCED BY STRITTMATTER, ZIMMERMAN, SCHULER, TRUE, STURLA,
ARMSTRONG, HERSHEY, BARLEY, MAITLAND, LEH, COLAIZZO, STERN,
HENNESSEY, READSHAW, M. N. WRIGHT, BUNT, GODSHALL, McCALL,
L. I. COHEN, ARGALL, STISH, SAYLOR, GEIST, TRELLO, RAYMOND,
HERMAN, FARMER, BATTISTO, PLATTS, BLAUM, DeLUCA,
E. Z. TAYLOR, J. TAYLOR, COY, SATHER, FICHTER, PETTIT, MERRY,
ROBINSON, ZUG, WOGAN, FARGO AND WOZNIAK, FEBRUARY 7, 1995

REFERRED TO COMMITTEE ON JUDICIARY, FEBRUARY 7, 1995

AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the
2 Pennsylvania Consolidated Statutes, further providing for the
3 disposition of delinquent children.

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

6 Section 1. Section 6352(a) of Title 42 of the Pennsylvania
7 Consolidated Statutes is amended by adding a paragraph to read:

8 § 6352. Disposition of delinquent child.

9 (a) General rule.--If the child is found to be a delinquent
10 child the court may make any of the following orders of
11 disposition best suited to his treatment, supervision,
12 rehabilitation, and welfare:

13 * * *

14 (7) If a child has been determined by the court to be a
15 dangerous juvenile offender, commit the child to a specially
16 designated institution or facility operated or approved by

1 the Department of Public Welfare for long-term placement
2 unless the court determines for good cause shown that the
3 commitment would not be consistent with the protection of the
4 public and the rehabilitation needs of the offender. Where
5 the court determines that commitment of a dangerous juvenile
6 offender under this paragraph would not be consistent with
7 the protection of the public and the rehabilitation needs of
8 the offender and the reasons for the finding are entered on
9 the record, the court may make any order of commitment
10 permitted under this section. A dangerous juvenile offender
11 committed to an institution or other facility under this
12 paragraph shall initially be committed for a period of time
13 up to the maximum sentence to which he would have been
14 sentenced by the court had he been convicted of the same
15 offense as an adult or until he attains 21 years of age,
16 whichever is less. However, the initial commitment may be
17 extended or modified in accordance with section 6353
18 (relating to limitation on and change in place of commitment)
19 as long as no offender over 21 years of age is committed or
20 remains under the jurisdiction of the court. The costs and
21 expenses related to the commitment and maintenance of
22 dangerous juvenile offenders in the specially designated
23 institutions or facilities operated or approved by the
24 Department of Public Welfare shall be borne by the
25 Commonwealth. The department shall develop and operate or
26 regulate the development and operation of institutions and
27 facilities as necessary to receive and maintain all dangerous
28 juvenile offenders committed under this paragraph.

29 * * *

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