

THE GENERAL ASSEMBLY OF PENNSYLVANIA

**HOUSE BILL**

**No. 31**

Special Session No. 1 of  
1995

INTRODUCED BY CLARK, MANDERINO, PERZEL, BARLEY, PHILLIPS,  
MARSICO, PICCOLA, CHADWICK, E. Z. TAYLOR, HESS, GODSHALL,  
BAKER, SATHER, STISH, MAJOR, STERN, FARGO, S. H. SMITH,  
FICHTER, L. I. COHEN, M. N. WRIGHT, STEIL, DIGIROLAMO,  
ADOLPH, SCHULER, TRUE, ZIMMERMAN, ARMSTRONG, MAITLAND, EGOLF,  
ROHRER, GRUPPO, TRELLO, NYCE, HARHART, HUTCHINSON, J. TAYLOR,  
MILLER, PETTIT, FARMER, HERMAN, STAIRS, CORNELL, BUNT,  
GAMBLE, TANGRETTI, SAINATO, COLAIZZO, MCGILL, FEESE, GLADECK,  
KELLER, BUTKOVITZ, NAILOR, LEDERER, WOZNIAK, DeLUCA,  
GIGLIOTTI, COY, DEMPSEY, GEORGE, RYAN, PITTS, MCGEEHAN,  
STRITTMATTER, WALKO, BROWNE, BROWN, PETRARCA, TRAVAGLIO AND  
WAUGH, JANUARY 26, 1995

REFERRED TO COMMITTEE ON JUDICIARY, JANUARY 26, 1995

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:

1 (1) Summary offenses, except those within the  
2 jurisdiction of the Traffic Court of Philadelphia and those  
3 arising out of the same episode or transaction involving a  
4 delinquent act for which a petition alleging delinquency is  
5 filed under Chapter 63 (relating to juvenile matters).

6 \* \* \*

7 § 1515. Jurisdiction and venue.

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

13 (1) Summary offenses, except those arising out of the  
14 same episode or transaction involving a delinquent act for  
15 which a petition alleging delinquency is filed under Chapter  
16 63 (relating to juvenile matters).

17 \* \* \*

18 § 6303. Scope of chapter.

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

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

23 (2) Transfers under section 6322 (relating to transfer  
24 from criminal proceedings).

25 (3) Proceedings arising under Subchapter E (relating to  
26 dispositions affecting other jurisdictions).

27 (4) Proceedings under the Interstate Compact on  
28 Juveniles, as set forth in section 731 of the act of June 13,  
29 1967 (P.L.31, No.21), known as the ["Public Welfare Code.["]

30 (5) Proceedings in which a child is charged with a

1 summary offense arising out of the same episode or  
2 transaction involving a delinquent act for which a petition  
3 alleging delinquency is filed under Chapter 63 (relating to  
4 juvenile matters). The summary offense shall be included in  
5 any petition regarding the accompanying delinquent act. Upon  
6 finding a child to have committed a summary offense, the  
7 court may utilize any disposition available to the minor  
8 judiciary where a child is found to have committed a summary  
9 offense, including a finding of guilt on the summary offense.

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

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