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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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**HOUSE BILL**

**No. 2609** Session of  
2004

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INTRODUCED BY CASORIO, BEBKO-JONES, CORRIGAN, CRAHALLA,  
DENLINGER, GERGELY, GOODMAN, GRUCELA, HARRIS, HESS, KOTIK,  
LEDERER, PISTELLA, READSHAW, ROONEY, SOLOBAY, WASHINGTON AND  
YOUNGBLOOD, MAY 12, 2004

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REFERRED TO COMMITTEE ON JUDICIARY, MAY 12, 2004

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AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the  
2 Pennsylvania Consolidated Statutes, further providing for  
3 sentences for offenses against elderly persons.

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

6 Section 1. Section 9717 of Title 42 of the Pennsylvania  
7 Consolidated Statutes is amended to read:

8 § 9717. Sentences for offenses against elderly persons.

9 (a) Mandatory sentence.--A person under 60 years of age  
10 convicted of the following offenses when the victim is over 60  
11 years of age [and not a police officer] shall be sentenced to a  
12 mandatory term of imprisonment as follows:

13 18 Pa.C.S. § 2702(a)(1) and (4) (relating to aggravated  
14 assault) - not less than two years.

15 18 Pa.C.S. § 3121 (relating to rape) - not less than five  
16 years.

17 18 Pa.C.S. § 3123 (relating to involuntary deviate sexual

1 intercourse) - not less than five years.

2 18 Pa.C.S. § 3922 (relating to theft by deception) - not  
3 less than 12 months, but the imposition of the minimum  
4 sentence shall be discretionary with the court where the  
5 court finds justifiable cause and that finding is written in  
6 the opinion.

7 (b) Eligibility for parole.--Parole shall not be granted  
8 until the minimum term of imprisonment has been served.

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