

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 317 Session of
2011

INTRODUCED BY BENNINGHOFF, BARRAR, BOYD, CAUSER, CHRISTIANA,
D. COSTA, CUTLER, DeLUCA, FLECK, GABLER, GEIST, GILLESPIE,
GINGRICH, GROVE, HARHART, HARKINS, HARRIS, HICKERNELL,
HORNAMAN, HUTCHINSON, KAUFFMAN, KILLION, KORTZ, LONGIETTI,
MANN, MARKOSEK, MARSHALL, MATZIE, METCALFE, METZGAR, MILLARD,
MURPHY, MURT, MUSTIO, OBERLANDER, PAYNE, PETRARCA, PICKETT,
PYLE, RAPP, READSHAW, REESE, REICHLEY, ROCK, SIMMONS,
STEVENSON, SWANGER, TALLMAN, VULAKOVICH, WATSON, SAYLOR,
SACCONE, FABRIZIO, ROAE, GILLEN, MILNE AND CALTAGIRONE,
JANUARY 31, 2011

AS REPORTED FROM COMMITTEE ON JUDICIARY, HOUSE OF
REPRESENTATIVES, AS AMENDED, MARCH 1, 2011

AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the
2 Pennsylvania Consolidated Statutes, further providing for
3 sentencing procedure for murder of the first degree.

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

6 Section 1. Section 9711(d) of Title 42 of the Pennsylvania
7 Consolidated Statutes is amended by adding ~~a paragraph~~

8 PARAGRAPHS to read:

9 § 9711. Sentencing procedure for murder of the first degree.

10 * * *

11 (d) Aggravating circumstances.--Aggravating circumstances
12 shall be limited to the following:

13 * * *

14 (19) The defendant perpetrated a sexually violent

1 offense as defined in section 9792 (relating to definitions)
2 against the victim and, at the time of the killing, the
3 defendant was required to register pursuant to Subchapter H
4 (relating to registration of sexual offenders).

5 (20) THE VICTIM WAS OVER 60 YEARS OF AGE OR THE VICTIM ←
6 WAS PARTICULARLY VULNERABLE DUE TO OLD AGE, INFIRMITY OR
7 DISABILITY.

8 * * *

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