

AMENDMENTS TO SENATE BILL NO. 1024

Sponsor: REPRESENTATIVE CLYMER

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1 Amend Bill, page 1, line 9, by inserting after "offenses"

2 and for sentences for arson of a historic resource

3 Amend Bill, page 2, line 25, by striking out "and" and

4 inserting a comma

5 Amend Bill, page 2, line 25, by inserting after "(f)"

6 and (j)

7 Amend Bill, page 2, line 26, by striking out "a subsection"

8 and inserting

9 subsections

10 Amend Bill, page 3, by inserting between lines 16 and 17

11 (a.2) Arson of historic resource.--A person commits a felony
12 of the second degree if the person, with the intent of
13 destroying or damaging a historic resource of another, does any
14 of the following:

15 (1) Intentionally starts a fire or causes an explosion,
16 whether on the person's own property or that of another.

17 (2) Aids, counsels, pays or agrees to pay another to
18 cause a fire or explosion.

19 Amend Bill, page 4, by inserting between lines 11 and 12

20 (j) Definitions.--As used in this section the following
21 words and phrases shall have the meanings given to them in this
22 subsection:

23 "Historic resource." A building or structure, including a
24 covered bridge, which:

25 (1) has been in existence for more than 100 years,
26 including partial or complete reconstruction of a building or
27 structure originally erected at least 100 years ago; or

28 (2) has been listed on the National Register of Historic
29 Places or the Pennsylvania Register of Historic Places.

30 "Occupied structure." Any structure, vehicle or place
31 adapted for overnight accommodation of persons or for carrying

1 on business therein, whether or not a person is actually
2 present. If a building or structure is divided into separately
3 occupied units, any unit not occupied by the actor is an
4 occupied structure of another.

5 "Property of another." A building or other property, whether
6 real or personal, in which a person other than the actor has an
7 interest which the actor has no authority to defeat or impair,
8 even though the actor may also have an interest in the building
9 or property.

10 Amend Bill, page 5, line 19, by striking out "a section" and
11 inserting

12 sections

13 Amend Bill, page 6, by inserting between lines 4 and 5

14 § 9720.6. Sentences for arson of a historic resource.

15 (a) Mandatory sentence.--Any person who commits a violation
16 of 18 Pa.C.S. § 3301(a.2) (relating to arson and related
17 offenses) shall be sentenced to a minimum sentence of at least
18 one year of total confinement.

19 (b) Proof at sentencing.--Notice of the provisions of this
20 section to the defendant shall not be required prior to
21 conviction, but reasonable notice of the Commonwealth's
22 intention to proceed under this section shall be provided after
23 conviction and before sentencing.