

AMENDMENTS TO SENATE BILL NO. 1092

Sponsor: SENATOR MENSCH

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1 Amend Bill, page 1, lines 1 through 4, by striking out all of
2 said lines and inserting

3 Amending Title 42 (Judiciary and Judicial Procedure) of the
4 Pennsylvania Consolidated Statutes, in sentencing, providing
5 for sentencing for offenses involving domestic violence in
6 the presence of a minor.

7 Amend Bill, page 1, lines 7 through 19; page 2, lines 1
8 through 22; by striking out all of said lines on said pages and
9 inserting

10 Section 1. Title 42 of the Pennsylvania Consolidated
11 Statutes is amended by adding a section to read:

12 § 9720.8. Sentencing for offenses involving domestic violence
13 in the presence of a minor.

14 (a) Sentencing enhancement.--The Pennsylvania Commission on
15 Sentencing, in accordance with section 2154 (relating to
16 adoption of guidelines for sentencing), shall provide for a
17 sentence enhancement within its guidelines for an offense under
18 18 Pa.C.S. § 2701 (relating to simple assault) or 2702 (relating
19 to aggravated assault), specifying variations from the range of
20 sentences applicable based on such aggravating circumstances as
21 the assault was committed against a family or household member
22 and the defendant knew the crime was witnessed, either through
23 sight or sound, by a minor who is also a family or household
24 member of the defendant or the victim.

25 (b) Definitions.--As used in this section, the following
26 words and phrases shall have the meanings given to them in this
27 subsection unless the context clearly indicates otherwise:

28 "Family or household member." The term shall have the same
29 meaning as "family or household members" under 23 Pa.C.S. § 6102
30 (relating to definitions).