
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL
No. 1871 Session of
1975

INTRODUCED BY REED, ECKENSBERGER, ZORD, DAVIS AND PRATT,
OCTOBER 16, 1975

REFERRED TO COMMITTEE ON JUDICIARY, OCTOBER 16, 1975

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, changing sentences for certain persons
3 convicted of felonies and misdemeanors.

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

6 Section 1. Sections 1101, 1103 and 1104 of Title 18, act of
7 November 25, 1970 (P.L.707, No.230), known as the Pennsylvania
8 Consolidated Statutes, added December 6, 1972 (P.L.1482,
9 No.334), section 1101 amended March 22, 1974 (P.L.210, No.44),
10 are amended to read:

11 § 1101. Fines.

12 (a) Amount.--A person who has been convicted of an offense
13 may be sentenced to pay a fine not exceeding:

14 (1) \$25,000, when the conviction is of a felony of the
15 first or second degree.

16 (2) \$15,000, when the conviction is of a felony of the
17 third degree.

18 (3) \$10,000, when the conviction is of a misdemeanor of

1 the first degree.

2 (4) \$5,000, when the conviction is of a misdemeanor of
3 the second degree.

4 (5) \$2,500, when the conviction is of a misdemeanor of
5 the third degree.

6 (6) \$300, when the conviction is of a summary offense.

7 (7) Any higher amount equal to double the pecuniary gain
8 derived from the offense by the offender.

9 (8) Any higher or lower amount specifically authorized
10 by statute.

11 (b) Disposition.--The disposition of fines shall be as
12 provided by law except that fines imposed in summary proceedings
13 under the following provisions of this title shall, when any
14 such offense is committed in a city, borough, town or township,
15 be paid to and for the use of the such city, borough, town or
16 township:

17 Section 3304 (relating to criminal mischief).

18 Section 3503 (relating to criminal trespass).

19 Section 3929 (relating to retail theft).

20 Section 4105 (relating to bad checks).

21 Section 5503 (relating to disorderly conduct).

22 Section 5504 (relating to harassment by communication or
23 address).

24 Section 5505 (relating to public drunkenness).

25 (c) Subsequent offenses.--Whoever, after having been
26 convicted of a second or subsequent felony, or misdemeanor,
27 within or without this Commonwealth, within four years after the
28 prior offense shall be sentenced to imprisonment for the maximum
29 term as provided for in subsection (a).

30 (d) Computation of time.--In computing the period of time

1 between convictions, as provided in subsection (c), any period
2 of servitude by a person in a penal institution, within or
3 without this Commonwealth, shall not be included in the
4 computation of any of said four-year periods. The four-year
5 periods shall run only during the time any such person shall be
6 at liberty.

7 § 1103. Sentence of imprisonment for felony.

8 (a) General rule.--A person who has been convicted of a
9 felony may be sentenced to imprisonment as follows:

10 (1) In the case of a felony of the first degree, for a
11 term which shall be fixed by the court at not more than 20
12 years.

13 (2) In the case of a felony of the second degree, for a
14 term which shall be fixed by the court at not more than ten
15 years.

16 (3) In the case of a felony of the third degree, for a
17 term which shall be fixed by the court at not more than seven
18 years.

19 (b) Subsequent offenses.--Whoever, after having been
20 convicted of a second or subsequent felony, within or without
21 this Commonwealth, within four years after the prior offense
22 shall be sentenced to imprisonment for the maximum term as
23 provided for in subsection (a).

24 (c) Computation of time.--In computing the period of time
25 between convictions, as provided in subsection (b), any period
26 of servitude by a person in a penal institution, within or
27 without this Commonwealth, shall not be included in the
28 computation of any of said four-year periods. The four-year
29 periods shall run only during the time any such person shall be
30 at liberty.

1 § 1104. Sentence of imprisonment for misdemeanors.

2 (a) General rule.--A person who has been convicted of a
3 misdemeanor may be sentenced to imprisonment for a definite term
4 which shall be fixed by the court and shall be not more than:

5 (1) Five years in the case of a misdemeanor of the first
6 degree.

7 (2) Two years in the case of a misdemeanor of the second
8 degree.

9 (3) One year in the case of a misdemeanor of the third
10 degree.

11 (b) Subsequent offenses.--Whoever, after having been
12 convicted of a second or subsequent misdemeanor, within or
13 without this Commonwealth, within four years after the prior
14 offense shall be sentenced to imprisonment for the maximum term
15 as provided for in subsection (a).

16 (c) Computation of time.--In computing the period of time
17 between convictions, as provided in subsection (b), any period
18 of servitude by a person in a penal institution, within or
19 without this Commonwealth, shall not be included in the
20 computation of any of said four-year periods. The four-year
21 periods shall run only during the time any such person shall be
22 at liberty.

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