

THE GENERAL ASSEMBLY OF PENNSYLVANIA

**HOUSE BILL**  
**No. 2382** Session of  
1976

INTRODUCED BY REED, MILLIRON, PRATT AND MRKONIC, MAY 13, 1976

REFERRED TO COMMITTEE ON JUDICIARY, MAY 17, 1976

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania  
2 Consolidated Statutes, changing provisions relating to  
3 sentences.

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

6 Section 1. Section 1103 of Title 18, act of November 25,  
7 1970 (P.L.707, 230), known as the Pennsylvania Consolidated  
8 Statutes, added December 6, 1972 (P.L.1482, No.334), is amended  
9 to read:

10 § 1103. Sentence of imprisonment for felony.

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

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

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

19 (3) In the case of a felony of the third degree, for a

term which shall be fixed by the court at not more than seven years.

(b) Separate punishment for certain offenses.--Any person convicted of a felony against a victim under 12 years of age or over 55 years of age or who is afflicted with a physical or mental impairment limiting his ability to defend himself against the perpetration of the crime shall be subject to a separate punishment therefor of a minimum of two years total confinement. For the purposes of this subsection total confinement means no release for a prisoner for probation, parole, furlough, commutation, or school and sports releases.

Section 2. Subsection (c) of section 1321 of Title 18, added December 30, 1974 (P.L.1052, No.345), is amended to read:

Section 1321. Sentencing generally.

\* \* \*

(c) Restitution.--In addition to the alternatives set forth in subsection (a) of this section the court may order the defendant to compensate the victim of his criminal conduct from compensation received by him, including but not limited to wages derived from participation in a work release program, for the damage or injury that he sustained.

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Section 3. This act shall take effect immediately.