

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1118 Session of  
1977

INTRODUCED BY HILL, MESSINGER, O'PAKE, COPPERSMITH, SCHAEFER,  
GEKAS, HAGER AND DWYER, OCTOBER 3, 1977

REFERRED TO JUDICIARY, OCTOBER 3, 1977

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania  
2 Consolidated Statutes, redefining murder of the second  
3 degree.

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

6 Section 1. Section 2502 of Title 18, act of November 25,  
7 1970 (P.L.707, No.230), known as the Pennsylvania Consolidated  
8 Statutes, is amended to read:

9 § 2502. Murder.

10 (a) Murder of the first degree.--A criminal homicide  
11 constitutes murder of the first degree when it is committed by  
12 an intentional killing.

13 (b) Murder of the second degree.-- A criminal homicide  
14 constitutes murder of the second degree when [the death of the  
15 victim occurred] it is committed while defendant was engaged as  
16 a principal or an accomplice in the perpetration of a felony.

17 (c) Murder of the third degree.--All other kinds of murder  
18 shall be murder of the third degree. Murder of the third degree

1 is a felony of the first degree.

2 (d) Definitions.--As used in this section the following  
3 words and phrases shall have the meanings given to them in this  
4 subsection:

5 "Fireman." Includes any employee or member of a municipal  
6 fire department or volunteer fire company.

7 "Hijacking." Any unlawful or unauthorized seizure or  
8 exercise of control, by force or violence or threat of force or  
9 violence.

10 "Intentional killing." Killing by means of poison, or by  
11 lying in wait, or by any other kind of willful, deliberate and  
12 premeditated killing.

13 "Perpetration of a felony." The act of the defendant in  
14 engaging in or being an accomplice in the commission of, or an  
15 attempt to commit, or flight after committing, or attempting to  
16 commit robbery, rape, or deviate sexual intercourse by force or  
17 threat of force, arson, burglary or kidnapping.

18 "Principal." A person who is the actor or perpetrator of the  
19 crime.

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