

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 262 Session of
2001

INTRODUCED BY DENT, BELL, TOMLINSON, WAUGH, RHOADES, WAGNER,
COSTA, STOUT, MUSTO, KITCHEN AND LOGAN, FEBRUARY 5, 2001

REFERRED TO JUDICIARY, FEBRUARY 5, 2001

AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the
2 Pennsylvania Consolidated Statutes, further providing for
3 transfer of juveniles to criminal proceedings.

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

6 Section 1. Section 6355(a)(4)(ii) of Title 42 of the
7 Pennsylvania Consolidated Statutes is amended to read:

8 § 6355. Transfer to criminal proceedings.

9 (a) General rule.--After a petition has been filed alleging
10 delinquency based on conduct which is designated a crime or
11 public offense under the laws, including local ordinances, of
12 this Commonwealth, the court before hearing the petition on its
13 merits may rule that this chapter is not applicable and that the
14 offense should be prosecuted, and transfer the offense, where
15 appropriate, to the division or a judge of the court assigned to
16 conduct criminal proceedings, for prosecution of the offense if
17 all of the following exist:

18 * * *

1 (4) The court finds:

2 * * *

3 (ii) that the delinquent act would be considered a
4 felony if committed by an adult or that the child
5 committed an offense under 18 Pa.C.S. § 2706 (relating to
6 terroristic threats) on school property or on public
7 property;

8 * * *

9 Section 2. The amendment of 42 Pa.C.S. § 6355(a)(4)(ii)
10 shall apply to offenses committed on or after the effective date
11 of this act.

12 Section 3. This act shall take effect in 60 days.