

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 380 Session of 2007

INTRODUCED BY BENNINGHOFF, BARRAR, BASTIAN, BELFANTI, CALTAGIRONE, CAPPELLI, CLYMER, COX, DALEY, DeLUCA, DePASQUALE, FABRIZIO, GODSHALL, GOODMAN, GRUCELA, HARHART, HENNESSEY, HESS, HICKERNELL, HUTCHINSON, M. KELLER, KILLION, KULA, MANN, MARSICO, McILHATTAN, MILLARD, MOYER, MUSTIO, O'NEILL, PEIFER, PHILLIPS, PICKETT, RAPP, REED, SCAVELLO, SONNEY, R. STEVENSON, SWANGER, TANGRETTI, TRUE, WATSON, DENLINGER, LONGIETTI AND MELIO, FEBRUARY 13, 2007

AS REPORTED FROM COMMITTEE ON JUDICIARY, HOUSE OF REPRESENTATIVES, AS AMENDED, MAY 8, 2007

AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the
2 Pennsylvania Consolidated Statutes, further providing for
3 sentencing procedure for murder of the first degree.

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

6 Section 1. Section 9711(d) of Title 42 of the Pennsylvania
7 Consolidated Statutes is amended by adding a paragraph to read:

8 § 9711. Sentencing procedure for murder of the first degree.

9 \* \* \*

10 (d) Aggravating circumstances.--Aggravating circumstances
11 shall be limited to the following:

12 \* \* \*

13 ~~(19) At the time of the killing, the defendant was~~ <—
14 ~~required to register pursuant to Subchapter H (relating to~~
15 ~~registration of sexual offenders) and the defendant had~~

1 ~~perpetrated a sexually violent offense as defined in section~~  
2 ~~9792 (relating to definitions) against the victim.~~

3 (19) THE DEFENDANT PERPETRATED A SEXUALLY VIOLENT ←  
4 OFFENSE AS DEFINED IN SECTION 9792 (RELATING TO DEFINITIONS)  
5 AGAINST THE VICTIM AND, AT THE TIME OF THE KILLING, THE  
6 DEFENDANT WAS REQUIRED TO REGISTER PURSUANT TO SUBCHAPTER H  
7 (RELATING TO REGISTRATION OF SEXUAL OFFENDERS).

8 \* \* \*

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