

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 735 Session of  
2013

INTRODUCED BY STACK, RAFFERTY, BREWSTER, TARTAGLIONE, FONTANA,  
FARNESE, YUDICHAK, COSTA, SOLOBAY, BROWNE AND HUGHES,  
MARCH 26, 2013

REFERRED TO JUDICIARY, MARCH 26, 2013

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated  
2 Statutes, further providing for accidents involving death or  
3 personal injury.

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

6 Section 1. Section 3742(b)(3)(ii) and (c) of Title 75 of the  
7 Pennsylvania Consolidated Statutes, amended July 5, 2012

8 (P.L.914, No.93), are amended to read:

9 § 3742. Accidents involving death or personal injury.

10 \* \* \*

11 (b) Penalties.--

12 \* \* \*

13 (3) \* \* \*

14 (ii) In addition to the minimum term of imprisonment  
15 provided for in subparagraph (i), the Pennsylvania  
16 Commission on Sentencing shall provide within its  
17 guidelines a sentencing enhancement if the victim dies,  
18 and a sentencing enhancement if the victim suffers

1        serious bodily injury, as the result of a violation of  
2        subsection (a). [The provisions of this subparagraph  
3        shall not be an element of the crime, and notice of the  
4        provisions of this subparagraph shall not be required  
5        prior to conviction, but reasonable notice of the  
6        Commonwealth's intention to proceed under this  
7        subparagraph shall be provided after conviction and  
8        before sentencing.

9        (c) Authority of sentencing court.--There shall be no  
10       authority in any court to impose on an offender to which this  
11       section is applicable any lesser sentence than provided for in  
12       subsection (b) (2) or (3) or to place such offender on probation  
13       or to suspend sentence. Sentencing guidelines promulgated by the  
14       Pennsylvania Commission on Sentencing shall not supersede the  
15       mandatory sentences provided in this section.]

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