
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1183 Session of
2013

INTRODUCED BY RAFFERTY, STACK, KASUNIC, WHITE, COSTA, YUDICHAK,
FONTANA, BRUBAKER, BREWSTER, FARNESE AND TARTAGLIONE,
NOVEMBER 20, 2013

REFERRED TO JUDICIARY, NOVEMBER 20, 2013

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, further providing for burglary.

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

5 Section 1. Section 3502(a)(1) of Title 18 of the
6 Pennsylvania Consolidated Statutes, amended July 5, 2012
7 (P.L.1050, No.122), is amended and the section is amended by
8 adding subsections to read:

9 § 3502. Burglary.

10 (a) Offense defined.--A person commits the offense of
11 burglary if, with the intent to commit a crime therein, the
12 person:

13 (1) (i) enters a building or occupied structure, or
14 separately secured or occupied portion thereof that is
15 adapted for overnight accommodations in which at the time
16 of the offense any person is present and the person
17 commits, attempts or threatens to commit a bodily injury

1 crime therein;

2 (ii) enters a building or occupied structure, or
3 separately secured or occupied portion thereof that is
4 adapted for overnight accommodations in which at the time
5 of the offense any person is present;

6 * * *

7 (e) Penalty.--In addition to any other penalty provided by
8 law, a person convicted under subsection (a)(1)(i) shall be
9 sentenced to a term of imprisonment which is the greater of the
10 following:

11 (1) Not more than 40 years.

12 (2) The mandatory maximum sentence that may be imposed
13 under 42 Pa.C.S. § 9714(a.1) (relating to sentences for
14 second and subsequent offenses).

15 (f) Definitions.--As used in this section the following
16 words and phrases shall have the meanings given to them in this
17 subsection:

18 "Bodily injury crime." As follows:

19 (1) An act, attempt or threat to commit an act which
20 would constitute a misdemeanor or felony under the following:

21 Chapter 25 (relating to criminal homicide).

22 Chapter 27 (relating to assault).

23 Chapter 29 (relating to kidnapping).

24 Chapter 31 (relating to sexual offenses).

25 Section 3301 (relating to arson and related
26 offenses).

27 Chapter 37 (relating to robbery).

28 Chapter 49 Subch. B (relating to victim and witness
29 intimidation).

30 (2) The term includes violations of any protective order

1 issued as a result of an act related to domestic violence.

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