

JUDICIAL CODE (42 PA.C.S.) - AMEND COMPETENCY OF WITNESSES

Act of Apr. 22, 1993, P.L. 2, No. 2

Cl. 42

Session of 1993

No. 1993-2

HB 115

AN ACT

Amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for the competency of witnesses.

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

Section 1. Section 5912 of Title 42 of the Pennsylvania Consolidated Statutes is amended to read:

§ 5912. [Disqualification by perjury.

In a criminal proceeding, a person who has been convicted in a court of this Commonwealth of perjury, which term is hereby declared to include subornation of or solicitation to commit perjury, shall not be a competent witness for any purpose, although his sentence may have been fully complied with, unless the judgment of conviction be judicially set aside or reversed, or unless the proceeding is one to punish or prevent injury or violence attempted, done, or threatened to his person or property; in which cases he shall be competent to testify.]

Effect of prior convictions.

No person shall be deemed incompetent or otherwise disqualified as a witness in any criminal proceeding by reason of the person's having been convicted of perjury or subornation of or solicitation to commit perjury, but such conviction may be shown for the purpose of affecting the person's credibility.

Section 2. The amendment of 42 Pa.C.S. § 5912 shall apply to all criminal cases pending on the effective date of this act.

Section 3. This act shall take effect immediately.

APPROVED--The 22th day of April, A. D. 1993.

ROBERT P. CASEY