
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 652

Session of
1989

INTRODUCED BY B. SMITH, CALTAGIRONE, BOWLEY, PETRONE, FAIRCHILD, BOYES, FLEAGLE, BARLEY, HERMAN, CARN, McVERRY, JACKSON, COY, TIGUE, BLAUM, DISTLER, WAMBACH, MILLER, SAURMAN, NAHILL, CARLSON, MOEHLMANN, FOX, DeLUCA, NOYE, HERSHEY, PHILLIPS, FOSTER, LaGROTTA, G. SNYDER, DEMPSEY, BUNT, J. L. WRIGHT, RYBAK, VROON, COWELL, BROUJOS, SCHEETZ, MICHLOVIC, KASUNIC, BISHOP, HESS, FARGO, DORR, RITTER, CAPPABIANCA, BATTISTO, BURD, HECKLER, GODSHALL, VEON, TRELLO, LASHINGER, STEIGHNER, COLAFELLA, SERAFINI, ALLEN, BIRMELIN, MELIO, BELARDI, ROBINSON, HASAY, MERRY, HALUSKA, DIETTERICK, S. H. SMITH, MAIALE, CORRIGAN, GEIST, LEVDANSKY, ANGSTADT, CIVERA, SEMMEL, SCHULER, ADOLPH, FARMER, MORRIS, HAGARTY, CORNELL, STABACK, MARSICO, CLYMER, LINTON, ROBBINS, GRUPPO, ACOSTA, REBER, ARGALL, WOZNIAK, OLIVER, OLASZ, LANGTRY, RAYMOND, LETTERMAN, MOWERY, JOHNSON, E. Z. TAYLOR, CHADWICK, PICCOLA, MRKONIC, D. W. SNYDER, ITKIN, PITTS, LEE, RICHARDSON, WILSON, HAYES, CESSAR, BORTNER, YANDRISEVITS, FLICK, TELEK, BLACK, JADLOWIEC, KOSINSKI, PETRARCA, MAYERNIK, BELFANTI, BRANDT, NAILOR, HOWLETT AND JAMES, MARCH 6, 1989

AS AMENDED ON THIRD CONSIDERATION, IN SENATE, DECEMBER 5, 1989

AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the
2 Pennsylvania Consolidated Statutes, further providing for
3 juvenile appearances before district justices.

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

6 Section 1. Title 42 of the Pennsylvania Consolidated
7 Statutes is amended by adding a section to read:

8 § 1522. Notice of summary cases involving juveniles.

9 (a) General rule.--Whenever an individual who is under 18

1 years of age and is not emancipated is charged with a summary
2 offense for which jurisdiction is vested in a district justice
3 under section 1515 (relating to jurisdiction and venue), the
4 district justice shall mail a copy of the citation, or other
5 appropriate written notification, to the parents or legal
6 guardians of the individual at the time of the filing of the
7 citation if the parents or legal guardians have not been
8 previously notified by the police. Where the individual is not
9 residing with a parent or legal guardian, the copy of the
10 citation, or other appropriate written notification, shall be
11 sent to the person with whom the individual resides if a
12 verifiable address is available. In such cases a district
13 justice shall not accept a plea or schedule a hearing before 72
14 hours has lapsed from the time of the mailing of the notice as
15 required under this section. Failure to provide notice under
16 this section shall not constitute grounds for dismissal of the
17 summary offense.

18 (b) Vehicle offenses.--Nothing in this section shall apply
19 to violations of Title 75 (relating to vehicles), except for 75
20 Pa.C.S. § 1543 (relating to driving while operating privilege is
21 suspended or revoked).

22 (c) Identification of juveniles.--Pennsylvania State Police
23 and local police shall assist district justices in complying
24 with the requirements of this section by indicating, through
25 conspicuous notation on citations, that the offense was
26 committed by a juvenile AND WHETHER THE POLICE HAVE NOTIFIED THE <—
27 PARENTS OR LEGAL GUARDIAN.

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