

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1295 Session of
1991

INTRODUCED BY LANGTRY, HAGARTY, JOSEPHS, FARMER, LAUGHLIN,
HARPER, E. Z. TAYLOR, STEELMAN, WILSON, MARKOSEK, BUSH,
FARGO, NOYE, MCGEEHAN, HERMAN, COLAIZZO, PESCI, BATTISTO,
CAWLEY, SCRIMENTI, ULIANA, JAMES, GODSHALL, CORRIGAN,
RAYMOND, OLASZ, BUNT, TANGRETTI, RICHARDSON, MRKONIC, FOX,
TRELLO, HANNA, VEON AND MICHLOVIC, MAY 6, 1991

REFERRED TO COMMITTEE ON JUDICIARY, MAY 6, 1991

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, providing for use of force by battered
3 persons.

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

6 Section 1. Title 18 of the Pennsylvania Consolidated
7 Statutes is amended by adding a section to read:

8 § 505.1. Use of force by battered persons.

9 (a) Battered person syndrome.--The battered person syndrome
10 is hereby recognized to be a matter of commonly accepted
11 scientific knowledge and beyond the ordinary knowledge or
12 experience of a person who is a member of the general populace.

13 (b) Battered person defense.--If a person is charged with an
14 offense involving the use of force against another and the
15 person, as a defense to the offense charged, raises the
16 affirmative defense of use of force in self-protection, under

1 section 505 (relating to use of force in self-protection), the
2 person may introduce expert testimony of the battered person
3 syndrome and expert testimony that the person suffered from that
4 syndrome as evidence to establish the requisite belief of an
5 imminent danger of death, serious bodily injury, kidnapping or
6 sexual intercourse compelled by force or threat.

7 Section 2. This act shall take effect immediately.