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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 190 Session of  
1995

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INTRODUCED BY LLOYD, RUDY, TRELLO, PESCI, EGOLF, DeLUCA,  
PISTELLA, READSHAW, BLAUM, LAUGHLIN, BELARDI AND PETRONE,  
JANUARY 23, 1995

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REFERRED TO COMMITTEE ON TRANSPORTATION, JANUARY 23, 1995

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AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated  
2 Statutes, providing sentencing for homicide by vehicle while  
3 driving under the influence.

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

6 Section 1. Section 3735(a) of Title 75 of the Pennsylvania  
7 Consolidated Statutes is amended to read:

8 § 3735. Homicide by vehicle while driving under influence.

9 (a) Offense defined.--Any person who unintentionally causes  
10 the death of another person as the direct result of a violation  
11 of section 3731 (relating to driving under influence of alcohol  
12 or controlled substance) and who is convicted of violating  
13 section 3731 is guilty of a felony of the third degree when the  
14 violation is the cause of death and the sentencing court shall  
15 order the person to serve a minimum term of imprisonment of not  
16 less than three years. Notwithstanding any other provision of  
17 law, the sentencing court may direct that the entire term of  
18 imprisonment required by this section be served in a State or

1 county correctional institution without any opportunity for  
2 placement in a community service center or in a work release  
3 program and may direct the department to revoke the convicted  
4 person's operating privilege permanently with no possibility of  
5 restoration.

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