

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 358 Session of
2003

INTRODUCED BY STACK, KITCHEN, STOUT, LOGAN, WAUGH, MUSTO,
BOSCOLA, KUKOVICH, WAGNER, KASUNIC, LAVALLE, COSTA, RAFFERTY,
O'PAKE, ORIE AND TARTAGLIONE, MARCH 3, 2003

REFERRED TO JUDICIARY, MARCH 3, 2003

AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the
2 Pennsylvania Consolidated Statutes, further providing for
3 sentences for offenses against elderly persons.

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

6 Section 1. Section 9717 of Title 42 of the Pennsylvania
7 Consolidated Statutes is amended to read:

8 § 9717. Sentences for offenses against elderly persons.

9 (a) Mandatory sentence.--A person under 60 years of age
10 convicted of the following offenses when the victim is over 60
11 years of age and not a police officer shall be sentenced to a
12 mandatory term of imprisonment as follows:

13 18 Pa.C.S. § 2702(a)(1) and (4) (relating to aggravated
14 assault) - not less than two years.

15 18 Pa.C.S. § 3121 (relating to rape) - not less than five
16 years.

17 18 Pa.C.S. § 3123 (relating to involuntary deviate sexual
18 intercourse) - not less than five years.

1 18 Pa.C.S. § 3922 (relating to theft by deception) - not
2 less than [12] 24 months, but the imposition of the minimum
3 sentence shall be discretionary with the court where the
4 court finds justifiable cause and that finding is written in
5 the opinion.

6 (b) Eligibility for parole.--Parole shall not be granted
7 until the minimum term of imprisonment has been served.

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