

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2036 Session of 2007

INTRODUCED BY WANSACZ, MUNDY, STABACK, K. SMITH, SHIMKUS, BELFANTI, BIANCUCCI, BLACKWELL, BOBACK, CURRY, FABRIZIO, FREEMAN, GEORGE, GIBBONS, GOODMAN, GRUCELA, HORNAMAN, JAMES, JOSEPHS, KOTIK, KULA, LEACH, McGEEHAN, McILVAINE SMITH, MOUL, MOYER, M. O'BRIEN, PARKER, PASHINSKI, PRESTON, WALKO, WATSON, WOJNAROSKI, YOUNGBLOOD AND YUDICHAK, NOVEMBER 15, 2007

AS REPORTED FROM COMMITTEE ON AGING AND OLDER ADULT SERVICES, HOUSE OF REPRESENTATIVES, AS AMENDED, MARCH 10, 2008

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, further providing for the offense of
3 neglect of care-dependent person.

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

6 ~~Section 1. Section 2713(b) of Title 18 of the Pennsylvania
7 Consolidated Statutes is amended by adding a paragraph to read:~~

8 SECTION 1. SECTION 2713(A) AND (B) OF TITLE 18 OF THE
9 PENNSYLVANIA CONSOLIDATED STATUTES ARE AMENDED BY ADDING
10 PARAGRAPHS TO READ:

11 § 2713. Neglect of care-dependent person.

12 \* \* \*

13 (A) OFFENSE DEFINED.--A CARETAKER IS GUILTY OF NEGLIGENCE OF A
14 CARE-DEPENDENT PERSON IF HE:

15 \* \* \*

16 (3) INTENTIONALLY, KNOWINGLY OR RECKLESSLY COMMITS THE

1 OFFENSE CONDUCT SPECIFIED IN PARAGRAPH (1) OR (2) SUCH THAT  
2 DEATH OF THE CARE-DEPENDENT PERSON RESULTS.

3 (b) Penalty.--

4 \* \* \*

5 (5) The Pennsylvania Commission on Sentencing shall  
6 provide, under 42 Pa.C.S. § 2154 (relating to adoption of  
7 guidelines for sentencing), for a sentencing enhancement for  
8 an offense under this section if the violation results in the <—  
9 death of a care dependent person. A VIOLATION OF SUBSECTION <—  
10 (A)(3).

11 \* \* \*

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