

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, YUDICHAK, CALTAGIRONE AND VULAKOVICH, NOVEMBER 15, 2007

AS AMENDED ON SECOND CONSIDERATION, HOUSE OF REPRESENTATIVES, MAY 7, 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(a) and (b) of Title 18 of the
7 Pennsylvania Consolidated Statutes are amended by adding
8 paragraphs to read:

9 § 2713. Neglect of care-dependent person.

10 (a) Offense defined.--A caretaker is guilty of neglect of a
11 care-dependent person if he:

12 * * *

13 (3) Intentionally, knowingly or recklessly commits the
14 offense conduct specified in paragraph (1) or (2) such that
15 death of the care-dependent person results.

1 (b) Penalty.--

2 * * *

3 ~~(5) The Pennsylvania Commission on Sentencing shall~~ <—
4 ~~provide, under 42 Pa.C.S. § 2154 (relating to adoption of~~
5 ~~guidelines for sentencing), for a sentencing enhancement for~~
6 ~~a violation of subsection (a)(3).~~

7 (5) A VIOLATION OF SUBSECTION (A)(3) CONSTITUTES A <—
8 FELONY OF THE FIRST DEGREE WITH A TERM OF IMPRISONMENT FIXED
9 BY THE COURT AT NO MORE THAN 40 YEARS.

10 * * *

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