
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2370 Session of
2008

INTRODUCED BY PASHINSKI, EACHUS, BOYD, CALTAGIRONE, GOODMAN,
HERSHEY, LONGIETTI, MANN, McILVAINE SMITH, READSHAW, SHIMKUS,
SIPTROTH, K. SMITH AND THOMAS, APRIL 15, 2008

REFERRED TO COMMITTEE ON JUDICIARY, APRIL 15, 2008

AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the
2 Pennsylvania Consolidated Statutes, further providing for
3 sentencing for criminal mischief.

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

6 Section 1. Section 9720 of Title 42 of the Pennsylvania
7 Consolidated Statutes is amended to read:

8 § 9720. Sentencing for criminal mischief.

9 (a) Sentencing for institutional vandalism.--A person
10 convicted of an offense under 18 Pa.C.S. [§§ 3304(a)(4)
11 (relating to criminal mischief) and] § 3307(a.1) (relating to
12 institutional vandalism), and who in the opinion of the
13 sentencing court would benefit, shall be sentenced to a term of
14 supervised community service, including repairing or restoring
15 damaged property, in accordance with the following:

16 (1) If the damage to the property is less than \$200, the
17 term of community service shall not be less than 50 days nor
18 more than 74 days.

1 (2) If the damage to the property is at least \$200 but
2 less than \$1,000, the term of community service shall not be
3 less than 75 days nor more than 99 days.

4 (3) If the damage to the property is \$1,000 or more, the
5 term of community service shall not be less than 100 days nor
6 more than 200 days.

7 (a.1) Sentencing for graffiti.--A person convicted of an
8 offense under 18 Pa.C.S. § 3304(a)(4) (relating to criminal
9 mischief) shall be sentenced as follows:

10 (1) Unless the sentencing court determines that the
11 repair or restoration of the property would place the person
12 in a dangerous situation, to a term of supervised community
13 service, including repairing or restoring property damaged by
14 the person, as follows:

15 (i) If the damage to the property is less than \$200,
16 the term of community service shall not be less than 50
17 days nor more than 74 days.

18 (ii) If the damage to the property is at least \$200
19 but less than \$1,000, the term of community service shall
20 not be less than 75 days nor more than 99 days.

21 (iii) If the damage to the property is \$1,000 or
22 more, the term of community service shall not be less
23 than 100 days nor more than 200 days.

24 (2) To pay a fine that shall include, at a minimum, the
25 actual cost of the damages caused by the person.

26 (b) Satisfactory completion of community service program.--
27 Satisfactory completion of the community service program under
28 subsection (a) shall result in a dismissal of charges and
29 expungement of the record of the person sentenced under
30 subsection (a). Satisfactory completion of the community service

1 program under subsection (a.1) shall result in a dismissal of
2 charges and expungement of the record of the person sentenced
3 for a first offense under subsection (a.1). The court shall
4 follow procedures similar to those established for the
5 Accelerated Rehabilitative Disposition Program.

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