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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 1680 Session of  
2015

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INTRODUCED BY GREINER, MENTZER, ROZZI, BAKER, PICKETT,  
B. MILLER, MILLARD, ZIMMERMAN, CUTLER, GROVE, READSHAW, FEE,  
KAUFFMAN, A. HARRIS, HICKERNELL, MURT AND DeLUCA,  
NOVEMBER 5, 2015

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REFERRED TO COMMITTEE ON JUDICIARY, NOVEMBER 5, 2015

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AN ACT

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

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

6 Section 1. Section 9718(c) of Title 42 of the Pennsylvania  
7 Consolidated Statutes is amended to read:

8 § 9718. Sentences for offenses against infant persons.

9 \* \* \*

10 [(c) Proof at sentencing.--The provisions of this section  
11 shall not be an element of the crime, and notice of the  
12 provisions of this section to the defendant shall not be  
13 required prior to conviction, but reasonable notice of the  
14 Commonwealth's intention to proceed under this section shall be  
15 provided after conviction and before sentencing. The  
16 applicability of this section shall be determined at sentencing.  
17 The court shall consider any evidence presented at trial and

1 shall afford the Commonwealth and the defendant an opportunity  
2 to present any necessary additional evidence and shall  
3 determine, by a preponderance of the evidence, if this section  
4 is applicable.]

5 \* \* \*

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