

---

---

THE GENERAL ASSEMBLY OF PENNSYLVANIA

---

SENATE BILL

No. 1138 Session of  
2015

---

INTRODUCED BY LEACH, MARCH 4, 2016

---

REFERRED TO JUDICIARY, MARCH 4, 2016

---

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania  
2 Consolidated Statutes, in criminal homicide, further  
3 providing for the offense of murder.

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

6 Section 1. Section 2502(b) of Title 18 of the Pennsylvania  
7 Consolidated Statutes is amended to read:

8 § 2502. Murder.

9 \* \* \*

10 (b) Murder of the second degree.--A criminal homicide  
11 constitutes murder of the second degree when it is committed  
12 [while] by:

13 (1) a defendant [was] engaged as a principal or an  
14 accomplice in the perpetration of a felony[.]; or

15 (2) an accomplice of a defendant engaged as a principal  
16 or accomplice in the perpetration of a felony and the  
17 defendant intentionally, knowingly or recklessly disregarded  
18 the risk that the death of another human being would occur as  
19 a result of their participation in the perpetration of the

1 felony.

2 \* \* \*

3 Section 2. Any person who is incarcerated in a State  
4 correctional institution on the effective date of this section  
5 for a violation of former 18 Pa.C.S. § 2502(b) (relating to  
6 murder) committed prior to the effective date of this section  
7 shall be entitled to a review by the court to determine whether  
8 there is a need for a resentencing hearing given the changes to  
9 former 18 Pa.C.S. § 2502(b). Persons deemed by the court to need  
10 a resentencing hearing shall be resentedenced in accordance with  
11 law.

12 Section 3. This act shall take effect in 60 days.