

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1697 Session of
2017

INTRODUCED BY McCLINTON, KINSEY, J. HARRIS, V. BROWN, RABB,
SCHWEYER, VITALI, BOBACK, KORTZ, THOMAS, NEILSON, FITZGERALD,
DEAN, PASHINSKI, DALEY, YOUNGBLOOD, DAVIS, GAINNEY, DAWKINS,
FRANKEL, ROZZI, KIRKLAND AND BULLOCK, AUGUST 15, 2017

REFERRED TO COMMITTEE ON JUDICIARY, AUGUST 15, 2017

AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the
2 Pennsylvania Consolidated Statutes, in juvenile matters,
3 further providing for place of detention.

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

6 Section 1. Section 6327(c) and (c.1)(1) of Title 42 of the
7 Pennsylvania Consolidated Statutes are amended to read:

8 § 6327. Place of detention.

9 * * *

10 (c) Detention in jail prohibited.--It is unlawful for any
11 person in charge of or employed by a jail knowingly to receive
12 for detention or to detain in the jail any person whom he has or
13 should have reason to believe is a child unless, in a criminal
14 proceeding, the child has been charged with [or has been found
15 guilty of an act set forth in paragraph (2)(i), (ii), (iii) or
16 (v) of the definition of "delinquent act" in section 6302
17 (relating to definitions).] the crime of murder.

1 (c.1) Detention of child.--

2 (1) A child who is subject to criminal proceedings
3 having been charged with [an act set forth under paragraph
4 (2) (i), (ii) or (iii) of the definition of "delinquent act"
5 in section 6302] the crime of murder, who has not been
6 released on bail and who may seek or is seeking transfer to
7 juvenile proceedings under section 6322 (relating to transfer
8 from criminal proceedings) may be detained in a secure
9 detention facility approved by the Department of Public
10 Welfare for the detention of alleged and adjudicated
11 delinquent children if the attorney for the Commonwealth has
12 consented to and the court has ordered the detention.

13 * * *

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