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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 2487 Session of  
2018

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INTRODUCED BY STEPHENS, QUIGLEY, BAKER, CORBIN, PASHINSKI,  
ROZZI, CHARLTON, TOEPEL, MILLARD, BARRAR, BARBIN, READSHAW,  
MURT, V. BROWN, ROEBUCK, CONKLIN, COX, D. COSTA, WATSON,  
GILLEN AND LAWRENCE, JUNE 13, 2018

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REFERRED TO COMMITTEE ON JUDICIARY, JUNE 13, 2018

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AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the  
2 Pennsylvania Consolidated Statutes, in sentencing, providing  
3 for sentencing for crimes involving family or household  
4 member.

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

7 Section 1. Title 42 of the Pennsylvania Consolidated  
8 Statutes is amended by adding a section to read:

9 § 9720.8. Sentencing for crimes involving family or household  
10 member.

11 The following sentencing provisions shall apply to a  
12 violation of an offense under 18 Pa.C.S. (relating to crimes and  
13 offenses) where the victim is a family or household member of  
14 the person as described in 23 Pa.C.S. § 6108 (relating to  
15 relief):

16 (1) Unless a sentence enhancement is provided for the  
17 offense by statute, the Pennsylvania Commission on Sentencing  
18 shall, in accordance with section 2154 (relating to adoption

1 of guidelines for sentencing), provide for sentence  
2 enhancements within its guidelines for an offense under 18  
3 Pa.C.S.

4 (2) Unless a grading increase is otherwise provided by  
5 statute for a second or subsequent offense under 18 Pa.C.S.,  
6 or a first offense under 18 Pa.C.S. if the person was subject  
7 to an order protecting the victim issued under 18 Pa.C.S. §  
8 4954 (relating to protective orders) or an order issued under  
9 23 Pa.C.S. § 6108 at the time of the commission of the  
10 offense, grading shall be in accordance with the following:

11 (i) A second or subsequent offense under 18 Pa.C.S.  
12 against the same victim shall be classified as one degree  
13 higher in the classification specified in 18 Pa.C.S. §  
14 106 (relating to classes of offenses) than the  
15 classification set forth for the offense.

16 (ii) An offense under 18 Pa.C.S. if the person was  
17 subject to an order issued under 18 Pa.C.S. § 4954 or an  
18 order issued under 23 Pa.C.S. § 6108 protecting the  
19 victim at the time of the offense shall be classified as  
20 one degree higher in the classification specified in 18  
21 Pa.C.S. § 106 than the classification set forth for the  
22 offense.

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