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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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SENATE BILL

No. 312 Session of  
2017

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INTRODUCED BY BOSCOLA, COSTA, HUGHES, FONTANA, FARNESE, SCHWANK,  
BROWNE, BREWSTER, TARTAGLIONE, RAFFERTY, RESCHENTHALER,  
SABATINA AND VULAKOVICH, FEBRUARY 15, 2017

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REFERRED TO JUDICIARY, FEBRUARY 15, 2017

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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 offenses involving violation of protection  
4 orders or consent agreements.

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 offenses involving violation of  
10 protection orders or consent agreements.

11 (a) Sentencing enhancement.--The Pennsylvania Commission on  
12 Sentencing, in accordance with section 2154 (relating to  
13 adoption of guidelines for sentencing), shall provide for a  
14 sentencing enhancement for an offense under subsection (b) when,  
15 at the time of the commission of the offense, the defendant was  
16 in violation of a protection order or consent agreement issued  
17 by a court in favor of the victim against the defendant under  
18 Chapter 62A (relating to protection of victims of sexual

1 violence or intimidation) or 23 Pa.C.S. Ch. 61 (relating to  
2 protection from abuse):

3 (b) Offenses.--Subsection (a) shall apply to the following  
4 offenses under 18 Pa.C.S. (relating to crimes and offenses):

5 (1) Section 2502 (relating to murder).

6 (2) Section 2503 (relating to voluntary manslaughter).

7 (3) Section 2505 (relating to causing or aiding  
8 suicide).

9 (4) Section 2701 (relating to simple assault).

10 (5) Section 2702 (relating to aggravated assault).

11 (6) Section 2705 (relating to recklessly endangering  
12 another person).

13 (7) Section 2706 (relating to terroristic threats).

14 (8) Section 2709 (relating to harassment).

15 (9) Section 2709.1 (relating to stalking).

16 (10) Section 2901 (relating to kidnapping).

17 (11) Section 2902 (relating to unlawful restraint).

18 (12) Section 2903 (relating to false imprisonment).

19 (13) Section 2904 (relating to interference with custody  
20 of children).

21 (14) Section 3121 (relating to rape).

22 (15) Section 3122.1 (relating to statutory sexual  
23 assault).

24 (16) Section 3123 (relating to involuntary deviate  
25 sexual intercourse).

26 (17) Section 3124.1 (relating to sexual assault).

27 (18) Section 3125 (relating to aggravated indecent  
28 assault).

29 (19) Section 3126 (relating to indecent assault).

30 (20) Section 3131 (relating to unlawful dissemination of

1 intimate image).

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