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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 991 Session of  
2021

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INTRODUCED BY BONNER, ROTHMAN, JOZWIAK AND ZIMMERMAN,  
MARCH 22, 2021

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REFERRED TO COMMITTEE ON JUDICIARY, MARCH 22, 2021

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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 sentencing procedure for murder of the first  
4 degree.

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

7 Section 1. Section 9711(c)(1)(iv) and (d)(16) of Title 42 of  
8 the Pennsylvania Consolidated Statutes are amended to read:

9 § 9711. Sentencing procedure for murder of the first degree.

10 \* \* \*

11 (c) Instructions to jury.--

12 (1) Before the jury retires to consider the sentencing  
13 verdict, the court shall instruct the jury on the following  
14 matters:

15 \* \* \*

16 (iv) The verdict must be a sentence of death if the  
17 jury unanimously finds at least one aggravating  
18 circumstance specified in subsection (d) and no  
19 mitigating circumstance or if the jury unanimously finds

1           one or more aggravating circumstances which outweigh any  
2           mitigating circumstances beyond a reasonable doubt. The  
3           verdict must be a sentence of life imprisonment in all  
4           other cases.

5                   \* \* \*

6           (d) Aggravating circumstances.--Aggravating circumstances  
7 shall be limited to the following:

8                   \* \* \*

9           (16) The victim was a child under [12] 18 years of age.

10                   \* \* \*

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