

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2593 Session of 2022

INTRODUCED BY DeLUCA, GILLEN, DELLOSO AND MILLARD, MAY 16, 2022

REFERRED TO COMMITTEE ON JUDICIARY, MAY 16, 2022

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
 2 Consolidated Statutes, in authorized disposition of
 3 offenders, providing for restitution involving child support.

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

6 Section 1. Title 18 of the Pennsylvania Consolidated
 7 Statutes is amended by adding a section to read:

8 § 1107.2. Restitution involving child support.

9 (a) Order.--Notwithstanding any other provision of law and
 10 in addition to any other sentence or order authorized by law,
 11 the court shall sentence a person convicted of a designated
 12 offense that resulted in the death of a parent of a child to pay
 13 child support for the child as restitution. The following apply:

14 (1) The amount of the child support shall be determined
 15 in accordance with 23 Pa.C.S. § 4322 (relating to support
 16 guideline).

17 (2) The payment of child support shall be made to the
 18 surviving parent of the child or, in the absence of a
 19 surviving parent of the child, the person having physical

1 custody of the child.

2 (3) The payment of child support shall be made until the
3 child reaches 18 years of age.

4 (b) Definitions.--As used in this section, the following
5 words and phrases shall have the meanings given to them in this
6 subsection unless the context clearly indicates otherwise:

7 "Child." An individual under 18 years of age.

8 "Designated offense." An offense under any of the following:

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

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

11 (3) Section 2504 (relating to involuntary manslaughter).

12 (4) 75 Pa.C.S. § 3732 (relating to homicide by vehicle).

13 (5) 75 Pa.C.S. § 3735 (relating to homicide by vehicle
14 while driving under influence).

15 "Parent." A biological parent, adoptive parent or legal
16 guardian of a child.

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