

Veto No. 1978-5

SB 190

June 15, 1978

To the Honorable, the Senate
of the Commonwealth of Pennsylvania:

I return herewith, without my approval, Senate Bill No. 190, Printer's No. 638, entitled "An act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for commencement of prosecutions and changing reasonable to unreasonable."

This bill would amend subsection (e) of section 108 of Title 18 of the Pennsylvania Consolidated Statutes to mandate that a prosecution is commenced when an information is issued by an attorney for the Commonwealth where authorized to do so.

The substance of this bill is provided for in Title 42 of the Pennsylvania Consolidated Statutes ("Judicial Code"), section 5552, subsection (e) and will become law on June 27, 1978. Section 5552(e) duplicates the intent of Senate Bill 190 by mandating that a prosecution is commenced when an information is issued in compliance with Article I, section 10 of the Pennsylvania Constitution. The signing of Senate Bill No. 190 would only add greater confusion with respect to implementation of the new Judicial Code by duplicating what is contained therein, but only awaiting an effective date.

For these reasons, this bill is not approved.

MILTON J. SHAPP