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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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# SENATE BILL

No.

**322**

Session of

1961

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INTRODUCED BY MESSRS. BERGER, PROPERT, MALLERY,  
LANE, WADE, HAWBAKER AND PECHAN, FEBRUARY 28, 1961.

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REFERRED TO COMMITTEE ON JUDICIARY GENERAL,  
FEBRUARY 28, 1961.

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## AN ACT

Authorizing courts of common pleas to order the emasculation of persons convicted of certain crimes in certain cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

- 1 Section 1 Any court of common pleas of the county in which the
- 2 defendant resides is lawfully confined or was convicted of any of the
- 3 hereinafter enumerated crimes may order the emasculation of any per-
- 4 son upon proof of either of the following

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EXPLANATION—CAPITAL LETTERS indicate new matter added to bill. Matter stricken through is to be omitted from bill.  
Underlining indicates new matter added to existing law. [Brackets] indicate matter stricken from existing law.

1        1 That such person has been convicted of the crime of commonlaw  
2 rape or of assault with intent to ravish or of murder committed in the  
3 perpetration of rape or of an attempt to commit any of such crimes upon  
4 any female child under the age of sixteen years

5        2 That such person has been convicted of a crime in the commis-  
6 sion of which he engaged in sexual activity of any nature with a child  
7 under sixteen years of age and has been declared to be a constitutional  
8 psychopathic inferior by three psychiatrists and two qualified physicians  
9 acting as a board under appointment by the court hearing the cause The  
10 terms "psychiatrist" and "qualified physician" as used in this act shall  
11 have the same meaning ascribed to such terms in "The Mental Health  
12 Act of 1951" act of 1951 (P L 533)

13        Section 2 This act shall take effect in 30 days

We certify that this bill has passed the Senate and the House of Representatives.

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Chief Clerk, Senate

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President pro tempore, Senate

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Speaker, House of Representatives

Approved The ..... day of ..... A. D. 1961.

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Governor