

No. 1995-9 (SS1)

AN ACT

HB 31

Amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for jurisdiction and venue and for summary offenses in relation to juveniles.

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

Section 1. Sections 1123(a)(1), 1515(a)(1) and 6303 of Title 42 of the Pennsylvania Consolidated Statutes are amended to read:

§ 1123. Jurisdiction and venue.

(a) General rule.—Except as otherwise prescribed by any general rule adopted pursuant to section 503 (relating to reassignment of matters), the Philadelphia Municipal Court shall have jurisdiction of the following matters:

(1) Summary offenses, except those within the jurisdiction of the Traffic Court of Philadelphia *and those arising out of the same episode or transaction involving a delinquent act for which a petition alleging delinquency is filed under Chapter 63 (relating to juvenile matters).*

* * *

§ 1515. Jurisdiction and venue.

(a) Jurisdiction.—Except as otherwise prescribed by general rule adopted pursuant to section 503 (relating to reassignment of matters), district justices shall, under procedures prescribed by general rule, have jurisdiction of all of the following matters:

(1) Summary offenses, *except those arising out of the same episode or transaction involving a delinquent act for which a petition alleging delinquency is filed under Chapter 63 (relating to juvenile matters).*

* * *

§ 6303. Scope of chapter.

(a) General rule.—This chapter shall apply exclusively to the following:

(1) Proceedings in which a child is alleged to be delinquent or dependent.

(2) Transfers under section 6322 (relating to transfer from criminal proceedings).

(3) Proceedings arising under Subchapter E (relating to dispositions affecting other jurisdictions).

(4) Proceedings under the Interstate Compact on Juveniles, as set forth in section 731 of the act of June 13, 1967 (P.L.31, No.21), known as the [“]Public Welfare Code.[”]

(5) *Proceedings in which a child is charged with a summary offense arising out of the same episode or transaction involving a delinquent act*

for which a petition alleging delinquency is filed under this chapter. The summary offense shall be included in any petition regarding the accompanying delinquent act. Upon finding a child to have committed a summary offense, the court may utilize any disposition available to the minor judiciary where a child is found to have committed a summary offense, including a finding of guilt on the summary offense.

(b) Minor judiciary.—No child shall be detained, committed or sentenced to imprisonment by a district justice or a judge of the minor judiciary.

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

APPROVED—The 31st day of March, A.D. 1995.

THOMAS J. RIDGE