

No. 1982-334

AN ACT

SB 1151

Amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for minimum terms for aggravated assault, theft by deception, rape and involuntary deviate sexual intercourse committed against persons over 60 or under 16 years of age.

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

Section 1. Title 42, act of November 25, 1970 (P.L.707, No.230), known as the Pennsylvania Consolidated Statutes, is amended by adding sections to read:

§ 9717. Sentences for offenses against elderly persons.

(a) Mandatory sentence.—A person under 60 years of age convicted of the following offenses when the victim is over 60 years of age and not a police officer shall be sentenced to a mandatory term of imprisonment as follows:

18 Pa. C.S. § 2702(a)(1) and (4) (relating to aggravated assault) - not less than two years.

18 Pa. C.S. § 3121 (relating to rape) - not less than five years.

18 Pa. C.S. § 3123 (relating to involuntary deviate sexual intercourse) - not less than five years.

18 Pa. C.S. § 3922 (relating to theft by deception) - not less than 12 months, but the imposition of the minimum sentence shall be discretionary with the court where the court finds justifiable cause and that finding is written in the opinion.

(b) Eligibility for parole.—Parole shall not be granted until the minimum term of imprisonment has been served.

§ 9718. Sentences for offenses against infant persons.

(a) Mandatory sentence.—A person convicted of the following offenses when the victim is under 16 years of age shall be sentenced to a mandatory term of imprisonment as follows:

18 Pa. C.S. § 2702(a)(1) and (4) (relating to aggravated assault) - not less than two years.

18 Pa. C.S. § 3121 (relating to rape) - not less than five years.

18 Pa. C.S. § 3123 (relating to involuntary deviate sexual intercourse) - not less than five years.

(b) Eligibility for parole.—Parole shall not be granted until the minimum term of imprisonment has been served.

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

APPROVED—The 30th day of December, A. D. 1982.

DICK THORNBURGH