

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 184 Session of 2021

INTRODUCED BY KEEFER, RYAN, ECKER, METCALFE, SCHLOSSBERG, TOPPER, RAPP, ZIMMERMAN, BROOKS, GLEIM, WARNER, HERSHEY, SCHLEGEL CULVER, MOUL, TOOHIL, GILLEN AND E. NELSON, JANUARY 21, 2021

AS AMENDED ON SECOND CONSIDERATION, HOUSE OF REPRESENTATIVES, MARCH 17, 2021

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, in criminal homicide, further
3 providing for the offense of causing or aiding suicide.

4 This act may be referred to as Shawn's Law.

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

7 Section 1. Section 2505 of Title 18 of the Pennsylvania <--
8 Consolidated Statutes is amended by adding a subsection to read:
9 § 2505. Causing or aiding suicide.

10 \* \* \*

11 SECTION 1. SECTION 2505 OF TITLE 18 OF THE PENNSYLVANIA <--
12 CONSOLIDATED STATUTES IS AMENDED TO READ:

13 § 2505. CAUSING OR AIDING SUICIDE.

14 (A) CAUSING SUICIDE AS CRIMINAL HOMICIDE.--A PERSON MAY BE
15 CONVICTED OF CRIMINAL HOMICIDE FOR CAUSING ANOTHER TO [COMMIT]
16 DIE BY SUICIDE ONLY IF HE INTENTIONALLY CAUSES SUCH SUICIDE BY
17 FORCE, DURESS OR DECEPTION.

1 (B) AIDING OR SOLICITING SUICIDE AS AN INDEPENDENT  
2 OFFENSE.--A PERSON WHO INTENTIONALLY AIDS OR SOLICITS ANOTHER TO  
3 [COMMIT] DIE BY SUICIDE IS GUILTY OF A FELONY OF THE SECOND  
4 DEGREE IF HIS CONDUCT CAUSES SUCH SUICIDE OR AN ATTEMPTED  
5 SUICIDE, AND OTHERWISE OF A MISDEMEANOR OF THE SECOND DEGREE.

6 (c) Sentencing.--

7 (1) The Pennsylvania Commission on Sentencing, in  
8 accordance with 42 Pa.C.S. § 2154 (relating to adoption of  
9 guidelines for sentencing), shall provide for a sentence  
10 enhancement within its guidelines for an offense under this  
11 section when at the time of the offense the person who  
12 ~~committed~~ DIED BY suicide or was aided or solicited to ~~commit~~ <--  
13 DIE BY suicide is under 18 years of age or has an <--  
14 intellectual disability or autism spectrum disorder.

15 (2) As used in this subsection, the following words and  
16 phrases shall have the meanings given to them in this  
17 paragraph unless the context clearly indicates otherwise:

18 "Autism spectrum disorder." As defined under 42 Pa.C.S.  
19 § 5992 (relating to definitions), regardless of the age of  
20 the individual.

21 "Intellectual disability." Regardless of the age of the  
22 individual, significantly subaverage general intellectual  
23 functioning that is accompanied by significant limitations in  
24 adaptive functioning in at least two of the following skill  
25 areas:

26 (i) Communication.

27 (ii) Self-care.

28 (iii) Home living.

29 (iv) Social and interpersonal skills.

30 (v) Use of community resources.

1                   (vi) Self-direction.

2                   (vii) Functional academic skills.

3                   (viii) Work.

4                   (ix) Health.

5                   (x) Safety.

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