

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1088 Session of
2022

INTRODUCED BY FLYNN, PHILLIPS-HILL, FONTANA, MARTIN, SCAVELLO,
COMITTA AND BROOKS, FEBRUARY 23, 2022

REFERRED TO JUDICIARY, FEBRUARY 23, 2022

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, in authorized disposition of
3 offenders, providing for restitution involving child support.

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

6 Section 1. Title 18 of the Pennsylvania Consolidated
7 Statutes is amended by adding a section to read:

8 § 1107.2. Restitution involving child support.

9 (a) Order.--Notwithstanding any other provision of law and
10 in addition to any other sentence or order authorized by law,
11 the court shall sentence a person convicted of a designated
12 offense that resulted in the death of a parent of a child to pay
13 child support for the child as restitution. The following apply:

14 (1) The amount of the child support shall be determined
15 in accordance with 23 Pa.C.S. § 4322 (relating to support
16 guideline).

17 (2) The payment of child support shall be made to the
18 surviving parent of the child or, in the absence of a

1 surviving parent of the child, the person having physical
2 custody of the child.

3 (3) The payment of child support shall be made until the
4 child reaches 18 years of age.

5 (b) Definitions.--As used in this section, the following
6 words and phrases shall have the meanings given to them in this
7 subsection unless the context clearly indicates otherwise:

8 "Child." An individual under 18 years of age.

9 "Designated offense." An offense under any of the following:

10 (1) Section 2502 (relating to murder).

11 (2) Section 2503 (relating to voluntary manslaughter).

12 (3) Section 2504 (relating to involuntary manslaughter).

13 (4) 75 Pa.C.S. § 3732 (relating to homicide by vehicle).

14 (5) 75 Pa.C.S. § 3735 (relating to homicide by vehicle
15 while driving under influence).

16 "Parent." A biological parent, adoptive parent or legal
17 guardian of a child.

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