

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 261 Session of 2023

INTRODUCED BY MASTRIANO AND STEFANO, JANUARY 31, 2023

REFERRED TO JUDICIARY, JANUARY 31, 2023

AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the
 2 Pennsylvania Consolidated Statutes, in limitation of time,
 3 further providing for no limitation applicable.

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

6 Section 1. Section 5551 of Title 42 of the Pennsylvania
 7 Consolidated Statutes is amended to read:

8 § 5551. No limitation applicable.

9 (a) General rule.--A prosecution for the following offenses
 10 may be commenced at any time:

11 (1) Murder.

12 (2) Voluntary manslaughter.

13 (3) Conspiracy to commit murder or solicitation to
 14 commit murder if a murder results from the conspiracy or
 15 solicitation.

16 (4) Any felony alleged to have been perpetrated in
 17 connection with a murder of the first or second degree, as
 18 set forth in 18 Pa.C.S. § 2502(a) or (b) and (d) (relating to
 19 murder).

1 (5) A violation of 75 Pa.C.S. § 3742 (relating to
2 accidents involving death or personal injury) or 3732
3 (relating to homicide by vehicle) if the accused was the
4 driver of a vehicle involved in an accident resulting in the
5 death of any person.

6 (6) A violation of 18 Pa.C.S. § 2702(a)(1), (2), (4) or
7 (7) (relating to aggravated assault) if the accused knew the
8 victim was a law enforcement officer and the law enforcement
9 officer was acting within the scope of the officer's duties.

10 (7) An offense under any of the following provisions of
11 18 Pa.C.S. (relating to crimes and offenses), or a conspiracy
12 or solicitation to commit an offense under any of the
13 following provisions of 18 Pa.C.S. if the offense results
14 from the conspiracy or solicitation, if the victim was under
15 18 years of age at the time of the offense:

16 Section 3011(b) (relating to trafficking in
17 individuals).

18 Section 3012 (relating to involuntary servitude) as
19 it relates to sexual servitude.

20 Section 3121 (relating to rape).

21 Section 3122.1 (relating to statutory sexual
22 assault).

23 Section 3123 (relating to involuntary deviate sexual
24 intercourse).

25 Section 3124.1 (relating to sexual assault).

26 Section 3124.2 (relating to institutional sexual
27 assault).

28 Section 3125 (relating to aggravated indecent
29 assault).

30 Section 4302 (relating to incest).

1 (8) An offense under any of the following provisions of
2 18 Pa.C.S., or a conspiracy or solicitation to commit an
3 offense under any of the following provisions of 18 Pa.C.S.
4 if the offense results from the conspiracy or solicitation,
5 if the victim is a nonverbal care-dependent person at the
6 time of the offense:

7 Section 2701 (relating to simple assault).

8 Section 2702.

9 Section 2713 (relating to neglect of care-dependent
10 person).

11 Section 2713.1 (relating to abuse of care-dependent
12 person).

13 Section 2718 (relating to strangulation).

14 Section 3121.

15 Section 3122.1.

16 Section 3123.

17 Section 3124.1.

18 Section 3124.2.

19 Section 3125.

20 Section 3126 (relating to indecent assault).

21 (b) Definition.--As used in this section, the term
22 "nonverbal care-dependent person" shall mean an individual who
23 is 18 years of age or older who, due to physical or cognitive
24 disability or impairment, requires assistance to meet the
25 individual's needs for food, shelter, clothing, personal care or
26 health care and has significantly subaverage general
27 intellectual functioning that is accompanied by significant
28 limitations in the adaptive function of communication.

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