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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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SENATE BILL

No. 589 Session of  
2015

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INTRODUCED BY FARNESE, TARTAGLIONE, FONTANA, BREWSTER, COSTA,  
SMITH, HUGHES, RAFFERTY AND BLAKE, MARCH 3, 2015

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REFERRED TO JUDICIARY, MARCH 3, 2015

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AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated  
2 Statutes, in miscellaneous provisions, further providing for  
3 accidents involving death or personal injury.

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

6 Section 1. Section 3742(b)(3) of Title 75 of the  
7 Pennsylvania Consolidated Statutes is amended and the subsection  
8 is amended by adding paragraphs to read:

9 § 3742. Accidents involving death or personal injury.

10 \* \* \*

11 (b) Penalties.--

12 \* \* \*

13 (3) (i) If the victim dies, any person violating  
14 subsection (a) commits a felony of the second degree, and the  
15 sentencing court shall order the person to serve a minimum  
16 term of imprisonment of not less than three years and a  
17 mandatory minimum fine of \$2,500, notwithstanding any other  
18 provision of law.

1           (ii) In addition to the minimum term of imprisonment  
2 provided for in subparagraph (i), the Pennsylvania  
3 Commission on Sentencing shall provide within its  
4 guidelines a sentencing enhancement if the victim dies as  
5 the result of a violation of subsection (a). [The  
6 provisions of this subparagraph shall not be an element  
7 of the crime, and notice of the provisions of this  
8 subparagraph shall not be required prior to conviction,  
9 but reasonable notice of the Commonwealth's intention to  
10 proceed under this subparagraph shall be provided after  
11 conviction and before sentencing.]

12       (4) For each victim, the court shall impose an  
13 additional fine and consecutive minimum term of imprisonment  
14 as provided in this subsection.

15       (5) In addition to the minimum terms of imprisonment  
16 provided for in paragraphs (1), (2), (3) and (4), the  
17 Pennsylvania Commission on Sentencing shall provide within  
18 its guidelines a sentencing enhancement if the person  
19 convicted under this section is also convicted of a violation  
20 of section 3802 (relating to driving under influence of  
21 alcohol or controlled substance) that occurred concurrently  
22 with the violation of this section. This enhanced term of  
23 imprisonment shall be served consecutively.

24 \* \* \*

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