
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1062 Session of
2015

INTRODUCED BY RAFFERTY, SABATINA, EICHELBERGER, FONTANA,
YUDICHAK, COSTA, TARTAGLIONE, WOZNIAK, BOSCOLA, AUMENT,
MENSCH, HUGHES, FARNESE AND BROWNE, NOVEMBER 13, 2015

REFERRED TO JUDICIARY, NOVEMBER 13, 2015

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, in burglary and other criminal
3 intrusions, further providing for burglary.

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

6 Section 1. Section 3502(a)(1) of Title 18 of the
7 Pennsylvania Consolidated Statutes is amended and the section is
8 amended by adding subsections to read:

9 § 3502. Burglary.

10 (a) Offense defined.--A person commits the offense of
11 burglary if, with the intent to commit a crime therein, the
12 person:

13 (1) (i) enters a building or occupied structure, or
14 separately secured or occupied portion thereof, that is
15 adapted for overnight accommodations in which at the time
16 of the offense any person is present and the person
17 commits, attempts or threatens to commit a bodily injury
18 crime therein;

1 (ii) enters a building or occupied structure, or
2 separately secured or occupied portion thereof that is
3 adapted for overnight accommodations in which at the time
4 of the offense any person is present;

5 * * *

6 (e) Penalty.--The maximum sentence for a person convicted
7 under subsection (a) (1) (i) shall be the greater of the
8 following:

9 (1) Forty years.

10 (2) The mandatory maximum sentence that may be imposed
11 under 42 Pa.C.S. § 9714(a.1) (relating to sentences for
12 second and subsequent offenses).

13 (f) Definitions.--As used in this section the following
14 words and phrases shall have the meanings given to them in this
15 subsection:

16 "Bodily injury crime." As follows:

17 (1) An act, attempt or threat to commit an act which
18 would constitute a misdemeanor or felony under the following:

19 Chapter 25 (relating to criminal homicide).

20 Chapter 27 (relating to assault).

21 Chapter 29 (relating to kidnapping).

22 Chapter 31 (relating to sexual offenses).

23 Section 3301 (relating to arson and related
24 offenses).

25 Chapter 37 (relating to robbery).

26 Chapter 49 Subch. B (relating to victim and witness
27 intimidation).

28 (2) The term includes violations of any protective order
29 issued as a result of an act related to domestic violence.

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