
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 338 Session of
2021

INTRODUCED BY BOSCOLA, COSTA, FONTANA, SCHWANK AND KANE,
MARCH 10, 2021

REFERRED TO JUDICIARY, MARCH 10, 2021

AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the
2 Pennsylvania Consolidated Statutes, in sentencing, providing
3 for sentencing for offenses involving violation of protection
4 orders or consent agreements.

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

7 Section 1. Title 42 of the Pennsylvania Consolidated
8 Statutes is amended by adding a section to read:

9 § 9720.9. Sentencing for offenses involving violation of
10 protection orders or consent agreements.

11 (a) Sentencing enhancement.--The Pennsylvania Commission on
12 Sentencing, in accordance with section 2154 (relating to
13 adoption of guidelines for sentencing), shall provide for a
14 sentencing enhancement for an offense under subsection (b) when,
15 at the time of the commission of the offense, the defendant was
16 in violation of a protection order or consent agreement issued
17 by a court in favor of the victim against the defendant under
18 Chapter 62A (relating to protection of victims of sexual
19 violence or intimidation) or 23 Pa.C.S. Ch. 61 (relating to

1 protection from abuse).

2 (b) Offenses.--Subsection (a) shall apply to the following
3 offenses under 18 Pa.C.S. (relating to crimes and offenses):

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

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

6 (3) Section 2505 (relating to causing or aiding
7 suicide).

8 (4) Section 2701 (relating to simple assault).

9 (5) Section 2702 (relating to aggravated assault).

10 (6) Section 2705 (relating to recklessly endangering
11 another person).

12 (7) Section 2706 (relating to terroristic threats).

13 (8) Section 2709 (relating to harassment).

14 (9) Section 2709.1 (relating to stalking).

15 (10) Section 2901 (relating to kidnapping).

16 (11) Section 2902 (relating to unlawful restraint).

17 (12) Section 2903 (relating to false imprisonment).

18 (13) Section 2904 (relating to interference with custody
19 of children).

20 (14) Section 3121 (relating to rape).

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

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

25 (17) Section 3124.1 (relating to sexual assault).

26 (18) Section 3125 (relating to aggravated indecent
27 assault).

28 (19) Section 3126 (relating to indecent assault).

29 (20) Section 3131 (relating to unlawful dissemination of
30 intimate image).

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