

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, in criminal homicide, further
3 providing for the offense of murder.

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

6 Section 1. Section 2502(b) of Title 18 of the Pennsylvania
7 Consolidated Statutes is amended to read:

8 § 2502. Murder.

9 * * *

10 (b) Murder of the second degree.--A criminal homicide
11 constitutes murder of the second degree when it is committed
12 [while] by:

13 (1) a defendant [was] engaged as a principal or an
14 accomplice in the perpetration of a felony[.]; or

15 (2) an accomplice of a defendant engaged as a principal
16 or accomplice in the perpetration of a felony and the
17 defendant intentionally, knowingly or recklessly disregarded
18 the risk that the death of another human being would occur as

1 a result of their participation in the perpetration of the
2 felony.

3 * * *

4 Section 2. Any person who is incarcerated in a State
5 correctional institution on the effective date of this section
6 for a violation of former 18 Pa.C.S. § 2502(b) (relating to
7 murder) committed prior to the effective date of this section
8 shall be entitled to a review by the court to determine whether
9 there is a need for a resentencing hearing given the changes to
10 former 18 Pa.C.S. § 2502(b). Persons deemed by the court to need
11 a resentencing hearing shall be resentenced in accordance with
12 law.

13 Section 3. This act shall take effect in 60 days.