

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 916 Session of
2025

INTRODUCED BY FARRY, PENNYCUICK, PICOZZI, FONTANA, STEFANO,
VOGEL, ROBINSON, ARGALL AND CULVER, JULY 31, 2025

REFERRED TO JUDICIARY, JULY 31, 2025

AN ACT

1 Amending Titles 18 (Crimes and Offenses) and 42 (Judiciary and
2 Judicial Procedure) of the Pennsylvania Consolidated
3 Statutes, in burglary and other criminal intrusion, further
4 providing for the offense of burglary; and, in juvenile
5 matters, further providing for definitions.

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

8 Section 1. Section 3502(d.1) and (e) of Title 18 of the
9 Pennsylvania Consolidated Statutes are amended and subsection
10 (c) (2) is amended by adding a subparagraph to read:

11 § 3502. Burglary.

12 * * *

13 (c) Grading.--

14 * * *

15 (2) As follows:

16 * * *

17 (iii) If the actor's intent upon entering the
18 building, structure or portion under subparagraph (i) is
19 to commit theft of a firearm or ammunition for a firearm,

1 burglary is a felony of the first degree.

2 * * *

3 (d.1) Sentencing [enhancement] enhancements.--The
4 Pennsylvania Commission on Sentencing, in accordance with 42
5 Pa.C.S. § 2154 (relating to adoption of guidelines for
6 sentencing), shall provide for a sentencing enhancement for
7 courts to consider in cases involving burglary where:

8 (1) a domestic animal is harmed or killed in the course
9 of the burglary[.]; or

10 (2) a subsequent crime is committed using a firearm or
11 ammunition stolen during the burglary.

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

15 "Bodily injury crime." As follows:

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

18 Chapter 25 (relating to criminal homicide).

19 Chapter 27 (relating to assault).

20 Chapter 29 (relating to kidnapping).

21 Chapter 31 (relating to sexual offenses).

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

24 Chapter 37 (relating to robbery).

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

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

29 "Firearm." As defined in section 6105(i) (relating to
30 persons not to possess, use, manufacture, control, sell or

1 transfer firearms).

2 Section 2. The definitions of "child" and "delinquent act"
3 in section 6302 of Title 42 are amended to read:

4 § 6302. Definitions.

5 The following words and phrases when used in this chapter
6 shall have, unless the context clearly indicates otherwise, the
7 meanings given to them in this section:

8 * * *

9 "Child." An individual who:

10 (1) is under the age of 18 years;

11 (2) is under the age of 21 years who committed an act of
12 delinquency before reaching the age of 18 years; or

13 (3) is under the age of 21 years and was adjudicated
14 dependent before reaching the age of 18 years, who has
15 requested the court to retain jurisdiction and who remains
16 under the jurisdiction of the court as a dependent child
17 because the court has determined that the child is:

18 (i) completing secondary education or an equivalent
19 credential;

20 (ii) enrolled in an institution which provides
21 postsecondary or [vocational] career or technical
22 education;

23 (iii) participating in a program actively designed
24 to promote or remove barriers to employment;

25 (iv) employed for at least 80 hours per month; or

26 (v) incapable of doing any of the activities
27 described in subparagraph (i), (ii), (iii) or (iv) due to
28 a medical or behavioral health condition, which is
29 supported by regularly updated information in the
30 permanency plan of the child.

1 * * *

2 "Delinquent act."

3 (1) The term means an act designated a crime under the
4 law of this Commonwealth, or of another state if the act
5 occurred in that state, or under Federal law, or an act which
6 constitutes indirect criminal contempt under Chapter 62A
7 (relating to protection of victims of sexual violence or
8 intimidation) with respect to sexual violence or 23 Pa.C.S.
9 Ch. 61 (relating to protection from abuse) or the failure of
10 a child to comply with a lawful sentence imposed for a
11 summary offense, in which event notice of the fact shall be
12 certified to the court.

13 (2) The term shall not include:

14 (i) The crime of murder.

15 (ii) Any of the following prohibited conduct where
16 the child was 15 years of age or older at the time of the
17 alleged conduct and a deadly weapon as defined in 18
18 Pa.C.S. § 2301 (relating to definitions) was used during
19 the commission of the offense which, if committed by an
20 adult, would be classified as:

21 (A) Rape as defined in 18 Pa.C.S. § 3121
22 (relating to rape).

23 (B) Involuntary deviate sexual intercourse as
24 defined in 18 Pa.C.S. § 3123 (relating to involuntary
25 deviate sexual intercourse).

26 (C) Aggravated assault as defined in 18 Pa.C.S.
27 § 2702(a)(1) or (2) (relating to aggravated assault).

28 (C.1) Burglary as defined under 18 Pa.C.S. §
29 3502(a)(3) (relating to burglary).

30 (D) Robbery as defined in 18 Pa.C.S. § 3701(a)

1 (1)(i), (ii) or (iii) (relating to robbery).

2 (E) Robbery of motor vehicle as defined in 18
3 Pa.C.S. § 3702 (relating to robbery of motor
4 vehicle).

5 (F) Aggravated indecent assault as defined in 18
6 Pa.C.S. § 3125 (relating to aggravated indecent
7 assault).

8 (G) Kidnapping as defined in 18 Pa.C.S. § 2901
9 (relating to kidnapping).

10 (H) Voluntary manslaughter.

11 (I) An attempt, conspiracy or solicitation to
12 commit murder or any of these crimes as provided in
13 18 Pa.C.S. §§ 901 (relating to criminal attempt), 902
14 (relating to criminal solicitation) and 903 (relating
15 to criminal conspiracy).

16 (iii) Any of the following prohibited conduct where
17 the child was 15 years of age or older at the time of the
18 alleged conduct and has been previously adjudicated
19 delinquent of any of the following prohibited conduct
20 which, if committed by an adult, would be classified as:

21 (A) Rape as defined in 18 Pa.C.S. § 3121.

22 (B) Involuntary deviate sexual intercourse as
23 defined in 18 Pa.C.S. § 3123.

24 (C) Robbery as defined in 18 Pa.C.S. § 3701(a)
25 (1)(i), (ii) or (iii).

26 (D) Robbery of motor vehicle as defined in 18
27 Pa.C.S. § 3702.

28 (E) Aggravated indecent assault as defined in 18
29 Pa.C.S. § 3125.

30 (F) Kidnapping as defined in 18 Pa.C.S. § 2901.

1 (G) Voluntary manslaughter.

2 (H) An attempt, conspiracy or solicitation to
3 commit murder or any of these crimes as provided in
4 18 Pa.C.S. §§ 901, 902 and 903.

5 (iv) Summary offenses.

6 (v) A crime committed by a child who has been found
7 guilty in a criminal proceeding for other than a summary
8 offense.

9 * * *

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