

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2042 Session of  
1999

INTRODUCED BY MAITLAND, DALEY, WALKO, BATTISTO, CLARK, DeWEESE,  
FRANKEL, GEIST, JOSEPHS, LYNCH, MANDERINO, MASLAND, READSHAW,  
ROSS, SAYLOR, THOMAS, TRELLO AND PLATTS, NOVEMBER 8, 1999

REFERRED TO COMMITTEE ON JUDICIARY, NOVEMBER 8, 1999

AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the  
2 Pennsylvania Consolidated Statutes, further providing for  
3 sentence of partial confinement and for sentence of total  
4 confinement.

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

7 Section 1. Section 9755 of Title 42 of the Pennsylvania  
8 Consolidated Statutes is amended by adding a subsection to read:  
9 § 9755. Sentence of partial confinement.

10 \* \* \*

11 (h) Sentence of partial confinement combined with sentence  
12 of intermediate punishment.--The court may impose a sentence of  
13 partial confinement without parole under this subsection only  
14 when:

15 (1) the period of partial confinement is followed  
16 immediately by a sentence imposed pursuant to section 9763  
17 (relating to sentence of intermediate punishment) in which  
18 case the sentence of partial confinement shall specify the

1     number of days of partial confinement to be served; and

2             (2) the maximum sentence of partial confinement imposed  
3     on one or more indictments to run consecutively or  
4     concurrently total 90 days or less.

5     Section 2. Section 9756(c) of Title 42 is amended and the  
6 section is amended by adding a subsection to read:

7     § 9756. Sentence of total confinement.

8             \* \* \*

9     (c) Prohibition of parole for summary offenses.--[Except in  
10 the case of murder of the first degree, the] The court may  
11 impose a sentence to imprisonment without the right to parole  
12 under this subsection only when:

13             (1) a summary offense is charged;

14             (2) sentence is imposed for nonpayment of fines or  
15 costs, or both, in which case the sentence shall specify the  
16 number of days to be served; and

17             (3) the maximum term or terms of imprisonment imposed on  
18 one or more indictments to run consecutively or concurrently  
19 total less than 30 days.

20             \* \* \*

21     (c.1) Sentence of total confinement combined with sentence  
22 of intermediate punishment.--The court may impose a sentence of  
23 imprisonment without parole under this subsection only when:

24             (1) the period of total confinement is followed  
25 immediately by a sentence imposed pursuant to section 9763  
26 (relating to sentence of intermediate punishment) in which  
27 case the sentence of total confinement shall specify the  
28 number of days of total confinement also to be served; and

29             (2) the maximum sentence of total confinement imposed on  
30 one or more indictments to run consecutively or concurrently

1       total 90 days or less.

2       \* \* \*

3       Section 3. This act shall take effect in 90 days.