

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1639 Session of
1997

INTRODUCED BY SAINATO, READSHAW, SHANER, DeLUCA, TRELLO, PESCI,
WOJNAROSKI, LUCYK, LaGROTTA, TRAVAGLIO, MARKOSEK, KAISER,
HABAY, RUBLEY AND LEVDANSKY, JUNE 11, 1997

REFERRED TO COMMITTEE ON JUDICIARY, JUNE 11, 1997

AN ACT

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

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

6 Section 1. Section 9762 of Title 42 of the Pennsylvania
7 Consolidated Statutes is amended to read:

8 § 9762. Sentencing proceeding; place of confinement.

9 [All] (a) Confinement.--Except as provided in subsection
10 (b), all persons sentenced to total or partial confinement for:

11 (1) maximum terms of five or more years shall be
12 committed to the [Bureau of Correction] Department of
13 Corrections for confinement;

14 (2) maximum terms of two years or more but less than
15 five years may be committed to the [Bureau of Correction]
16 Department of Corrections for confinement or may be committed
17 to a county prison within the jurisdiction of the court;

18 (3) maximum terms of less than two years shall be

1 committed to a county prison within the jurisdiction of the
2 court except that as facilities become available on dates and
3 in areas designated by the Governor in proclamations
4 declaring the availability of State correctional facilities,
5 such persons may be committed to the [Bureau of Correction]
6 Department of Corrections for confinement.

7 (b) Transfer of inmates; contracts.--The county correctional
8 administrator or the Secretary of Corrections or his designee
9 shall have the authority to transfer inmates in accordance with
10 section 1 of the act of July 11, 1923 (P.L.1044, No.425),
11 referred to as the Prisoner Transfer Law, and to contract with
12 the Federal Government, a state or political subdivision thereof
13 for the housing of State or county inmates.

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