

## AMENDMENTS TO SENATE BILL NO. 968

Sponsor: SENATOR BROWNE

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1 Amend Bill, page 1, line 22, by inserting after

2 "assessments,"

3 for verification by sexual offenders and Pennsylvania State  
4 Police,

5 Amend Bill, page 1, line 26, by inserting after

6 "applicability,"

7 for registration,

8 Amend Bill, page 2, line 31, by inserting after "states;"

9 providing for Board of Pardons;

10 Amend Bill, page 2, line 35, by inserting after "Advocate;"  
11 making related repeals;

12 Amend Bill, page 14, line 6, by inserting after "(g),"

13 9799.25(f)(4),

14 Amend Bill, page 21, by inserting between lines 29 and 30

15 § 9799.25. Verification by sexual offenders and Pennsylvania  
16 State Police.

17 \* \* \*

18 (f) Residents in group-based homes.--

19 \* \* \*

20 (4) As used in this subsection, the term "group-based  
21 home" has the meaning given to it in 61 Pa.C.S. § [6124(c)]  
22 5007(c) (relating to certain offenders residing in group-  
23 based homes).

24 Amend Bill, page 24, line 20, by inserting after "(3),"

25 9799.55(d)(4),

26 Amend Bill, page 28, by inserting between lines 9 and 10

27 § 9799.55. Registration.

28 \* \* \*

1 (d) Residents in group-based homes.--

2 \* \* \*

3 (4) As used in this subsection, the term "group-based  
4 home" has the meaning given to it in 61 Pa.C.S. § [6124(c)]  
5 5007(c) (relating to certain offenders residing in group-  
6 based homes).

7 Amend Bill, page 34, line 30, by inserting after "public"

8 electronically on the Attorney General's publicly  
9 accessible Internet website

10 Amend Bill, page 37, line 3, by striking out "and interests"

11 Amend Bill, page 37, line 6, by striking out the period after  
12 "escaped" and inserting

13 within the immediate area of a State correctional  
14 facility or mode of transport. For the purposes of this  
15 section, the immediate area of a State correctional facility  
16 or mode of transport shall encompass the curtilage up to and  
17 including one-half of one mile.

18 Amend Bill, page 41, line 28, by inserting after "(2)"

19 All hearings shall be conducted in compliance with 65  
20 Pa.C.S. Ch. 7 (relating to open meetings.)

21 Amend Bill, page 41, line 29, by striking out "provide public  
22 notice of" and inserting

23 announce

24 Amend Bill, page 42, line 2, by striking out "notice" and  
25 inserting

26 announcement

27 Amend Bill, page 42, line 3, by inserting after "location"

28 , date

29 Amend Bill, page 42, lines 5 through 7, by striking out  
30 "Nothing in this paragraph" in line 5 and all of lines 6 and 7

31 Amend Bill, page 76, line 26, by inserting a bracket before  
32 "board"

33 Amend Bill, page 76, line 26, by inserting after "board"

34 ] department

1 Amend Bill, page 114, by inserting between lines 17 and 18  
2 Section 26.1. Title 61 is amended by adding a chapter to  
3 read:

4 CHAPTER 73  
5 BOARD OF PARDONS

6 Sec.

7 7301. Board of Pardons.

8 § 7301. Board of Pardons.

9 (a) Establishment.--The Board of Pardons is established for  
10 the purposes of:

11 (1) hearing applications for the remission of fines and  
12 forfeitures;

13 (2) granting of reprieves, commutations of sentence and  
14 pardons, except in cases of impeachment; and

15 (3) making recommendations in writing to the Governor  
16 thereon, in the manner provided under and subject to section  
17 9 of Article IV of the Constitution of Pennsylvania.

18 (b) Composition.--The Board of Pardons shall consist of the  
19 following members:

20 (1) The Lieutenant Governor, who shall be chairperson.

21 (2) The Attorney General.

22 (3) Three members appointed by the Governor as provided  
23 under section 9 of Article IV of the Constitution of  
24 Pennsylvania.

25 (b.1) Terms.--Members shall serve a term of six years.

26 (c) Quorum.--Three members of the board shall constitute a  
27 quorum.

28 (d) Granting of hearings.--Hearings relating to the granting  
29 of reprieves, commutations of sentences and pardons for  
30 prisoners serving life sentences or sentences for crimes of  
31 violence may only be granted upon approval by a vote of a  
32 majority of the members of the Board of Pardons.

33 (e) Applicants under sentence of death.--In cases involving  
34 applicants under sentence of death, the application shall be  
35 filed within 10 days of the Governor's issuance of a warrant  
36 specifying a week for execution.

37 (f) Notice to victims.--The following apply:

38 (1) The Board of Pardons shall provide notice to victims  
39 or next of kin, including victims who are registered with the  
40 Department of Corrections, the Office of Victim Advocate, the  
41 Pennsylvania Parole Board, the Board of Pardons and those  
42 whose whereabouts are otherwise known.

43 (2) Individuals notified under this subsection shall be  
44 given the opportunity to offer prior comment on any  
45 application which has been granted a hearing by the Board of  
46 Pardons pertaining to the individual's case, which may be  
47 oral or written, and shall be considered by the Board of  
48 Pardons as to the advisability of any pardon or related  
49 release and any conditions of release.

1       (3) The Board of Pardons shall provide notice to victims  
2       or next of kin of the date, time and place of a hearing  
3       pertaining to their case.

4       (g) Hearings.--Each member of the Board of Pardons shall  
5       interview an applicant in instances where the Board of Pardons  
6       chooses to have an application submitted by the following:

7       (1) an inmate serving a life sentence or a sentence of  
8       death; or

9       (2) an inmate serving a sentence for murder of the third  
10       degree, voluntary manslaughter, attempt to commit murder of  
11       the third degree or attempt to commit voluntary manslaughter.

12       (h) Rules and regulations.--The Board of Pardons shall adopt  
13       rules and regulations governing actions of the board and all  
14       hearings and recommendations shall be subject to the rules and  
15       regulations.

16       (i) Recordkeeping.--The Board of Pardons shall keep records  
17       of all actions, which shall, at all times, be open for public  
18       inspection.

19       (j) Offices.--Upon request, the Department of Corrections  
20       shall make available facilities, administrative support and  
21       other assistance to the board. The Secretary of the Board of  
22       Pardons shall employ staff as necessary to carry out the board's  
23       duties under this chapter.

24       (k) Definitions.--As used in this section, the following  
25       words and phrases shall have the meanings given to them in this  
26       subsection unless the context clearly indicates otherwise:

27       "Crime of violence." As defined in 42 Pa.C.S. § 9714(g)  
28       (relating to sentences for second and subsequent offenses).

29       Amend Bill, page 115, by inserting between lines 3 and 4

30       (ii) Personnel transferred under this section who on  
31       the effective date of this section hold civil service  
32       employment status shall retain such status and  
33       protections afforded under 71 Pa.C.S. Pt. III (relating  
34       to civil service reform) while they remain in their  
35       current position.

36       Amend Bill, page 115, line 4, by striking out "(ii)" and  
37       inserting

38       (iii)

39       Amend Bill, page 115, lines 26 and 27, by striking out all of  
40       said lines and inserting

41       Section 29. The Appropriation for the Pennsylvania Parole  
42       Board and the Board of Pardons must each be in a separate line  
43       item under the Department of Corrections.

44       Section 29.1. Repeals are as follows:

45       (1) The General Assembly declares that the repeal under  
46       paragraph (2) is necessary to effectuate the addition of 61

1 Pa.C.S. Ch. 73.  
2 (2) Sections 403 and 909 of the act of April 9, 1929  
3 (P.L.177, No.175), known as The Administrative Code of 1929,  
4 are repealed.