THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 884  Session of 2019

INTRODUCED BY BARTOLOTTA, FARNESE, COLLETT, HAYWOOD, LEACH, KEARNEY, MUTH, BREWSTER, K. WARD AND COSTA, OCTOBER 7, 2019

REFERRED TO JUDICIARY, OCTOBER 7, 2019

A JOINT RESOLUTION

1 Proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, in the executive, further providing for pardoning power and Board of Pardons.

2 The General Assembly of the Commonwealth of Pennsylvania hereby resolves as follows:

3 Section 1. The following amendment to the Constitution of Pennsylvania is proposed in accordance with Article XI:

4 That section 9(a) of Article IV of the Constitution of Pennsylvania be amended to read:

5 § 9. Pardoning power; Board of Pardons.

6 (a) In all criminal cases except impeachment the Governor shall have power to remit fines and forfeitures, to grant reprieves, commutation of sentences and pardons; but no pardon shall be granted, nor sentence commuted, except on the recommendation in writing of a majority of the Board of Pardons, and, in the case of a sentence of death or life imprisonment, on the unanimous recommendation in writing of four-fifths of the Board of Pardons, after full hearing in open session, upon due
public notice. The recommendation, with the reasons therefor at
length, shall be delivered to the Governor and a copy thereof
shall be kept on file in the office of the Lieutenant Governor
in a docket kept for that purpose.

Section 2. (a) Upon the first passage by the General
Assembly of this proposed constitutional amendment, the
Secretary of the Commonwealth shall proceed immediately to
comply with the advertising requirements of section 1 of Article
XI of the Constitution of Pennsylvania and shall transmit the
required advertisements to two newspapers in every county in
which such newspapers are published in sufficient time after
passage of this proposed constitutional amendment.

(b) Upon the second passage by the General Assembly of this
proposed constitutional amendment, the Secretary of the
Commonwealth shall proceed immediately to comply with the
advertising requirements of section 1 of Article XI of the
Constitution of Pennsylvania and shall transmit the required
advertisements to two newspapers in every county in which such
newspapers are published in sufficient time after passage of
this proposed constitutional amendment. The Secretary of the
Commonwealth shall submit this proposed constitutional amendment
to the qualified electors of this Commonwealth at the first
primary, general or municipal election which meets the
requirements of and is in conformance with section 1 of Article
XI of the Constitution of Pennsylvania and which occurs at least
three months after the proposed constitutional amendment is
passed by the General Assembly.