

AN ACT

1 Amending the act of April 9, 1929 (P.L.177, No.175), entitled
2 "An act providing for and reorganizing the conduct of the
3 executive and administrative work of the Commonwealth by the
4 Executive Department thereof and the administrative
5 departments, boards, commissions, and officers thereof,
6 including the boards of trustees of State Normal Schools, or
7 Teachers Colleges; abolishing, creating, reorganizing or
8 authorizing the reorganization of certain administrative
9 departments, boards, and commissions; defining the powers and
10 duties of the Governor and other executive and administrative
11 officers, and of the several administrative departments,
12 boards, commissions, and officers; fixing the salaries of the
13 Governor, Lieutenant Governor, and certain other executive
14 and administrative officers; providing for the appointment of
15 certain administrative officers, and of all deputies and
16 other assistants and employes in certain departments, boards,
17 and commissions; and prescribing the manner in which the
18 number and compensation of the deputies and all other
19 assistants and employes of certain departments, boards and
20 commissions shall be determined," in powers and duties of the
21 Department of Justice and its departmental administrative
22 boards, further providing for board of pardons.

23 The General Assembly of the Commonwealth of Pennsylvania
24 hereby enacts as follows:

25 Section 1. Section 909(c) of the act of April 9, 1929
26 (P.L.177, No.175), known as The Administrative Code of 1929, is
27 amended to read:

1 Section 909. Board of Pardons.--* * *

2 (c) The Board of Pardons shall adopt rules and regulations
3 governing its actions and no hearings or recommendations shall
4 be contrary thereto. In cases involving applicants under
5 sentence of death, the application shall be filed within ten
6 days of the Governor's issuance of a warrant specifying a week
7 for execution. The Board of Pardons shall use the following
8 criteria when adopting rules and regulations:

9 (1) With the exception of applications under the sentence of
10 death or under paragraph (2)(iii), no application submitted for
11 the purpose of requesting a reprieve, commutation of sentence or
12 pardon shall be accepted or reviewed by the Board of Pardons
13 unless the applicant has satisfied criteria in paragraph (2).

14 (2) Minimum eligibility requirements for applicants shall be
15 as follows:

16 (i) No person shall be deemed eligible to submit an
17 application with the Board of Pardons requesting a pardon until
18 at least ten years have elapsed from the date of the person's
19 most recent conviction or release from confinement during
20 instances when a conviction has resulted in any period of
21 imprisonment.

22 (ii) No person shall be deemed eligible to submit an
23 application with the Board of Pardons requesting a commutation
24 of sentence until at least ten years have elapsed from the date
25 following the person's most recent conviction.

26 (iii) No person serving a life sentence shall be deemed
27 eligible to submit an application with the Board of Pardons
28 requesting a pardon until the person has served at least twenty-
29 five years of the life sentence.

30 (iv) No person who is incarcerated shall be deemed eligible

1 to submit an application with the Board of Pardons requesting a
2 pardon or commutation of sentence if the person is within three
3 years of the minimum sentence or the maximum sentence.

4 (3) Each applicant must show that the applicant has paid or
5 is in the process of paying fines, court costs and restitution.
6 If the applicant has outstanding financial obligations, the
7 applicant must have a payment plan and have made payments for at
8 least the twelve consecutive months prior to the submission of
9 the application.

10 (4) For the purposes of paragraph (2), the term "conviction"
11 shall not include a summary conviction.

12 * * *

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