
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 395

Session of
1987

INTRODUCED BY SCHULER, SCHEETZ, GEIST, DAWIDA, SEMMEL,
CAPPABIANCA AND BUNT, FEBRUARY 24, 1987

REFERRED TO COMMITTEE ON JUDICIARY, FEBRUARY 24, 1987

AN ACT

1 Amending the act of May 23, 1923 (P.L.316, No.203), entitled "An
2 act to provide for the welfare of all persons confined
3 (whether such persons be tried or untried prisoners) in any
4 penitentiary or county prison in this Commonwealth," further
5 providing for a restriction on the use of tobacco.

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

8 Section 1. Section 1 of the act of May 23, 1923 (P.L.316,
9 No.203), entitled "An act to provide for the welfare of all
10 persons confined (whether such persons be tried or untried
11 prisoners) in any penitentiary or county prison in this
12 Commonwealth," is amended to read:

13 Section 1. Be it enacted, &c., That no person confined in
14 any prison or penitentiary (whether such persons be tried or
15 untried prisoners) shall be deprived at any time of the right to
16 the use of tobacco for a longer period than two weeks in any
17 form; and no warden, board of prison managers, prison
18 inspectors, or any other person in authority, in charge of any
19 prison or penitentiary, shall pass or enforce any rule or

1 regulation depriving any person confined therein of the right to
2 the use of tobacco for a longer period than two weeks. The use
3 of tobacco may, however, be restricted for a period exceeding
4 two weeks where such restriction is necessary for the safety of
5 the prison or penitentiary.

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