

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 342 Session of  
1991

INTRODUCED BY LEVDANSKY, MURPHY, COWELL, FAJT, GIGLIOTTI,  
TRELLO, PISTELLA, CESSAR, PETRONE, ITKIN, MICHLOVIC AND  
OLASZ, FEBRUARY 6, 1991

REFERRED TO COMMITTEE ON JUDICIARY, FEBRUARY 6, 1991

AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the  
2 Pennsylvania Consolidated Statutes, further providing for  
3 places of confinement for persons sentenced to prison.

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 persons sentenced to total or partial confinement for:

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

13 (2) maximum terms of [two years or more but less than  
14 five] six months or more but less than two years [may] shall  
15 be committed to the [Bureau of Correction] Department of  
16 Corrections for confinement [or may be committed to a county  
17 prison within the jurisdiction of the court] except that such  
18 persons may be committed to a county prison within the

1 jurisdiction of the court if the local county correctional  
2 officials designate that local county correctional facilities  
3 are available for housing such prisoners;

4 (3) maximum terms of less than [two years] six months  
5 shall be committed to a county prison within the jurisdiction  
6 of the court except that as facilities become available on  
7 dates and in areas designated by the Governor in  
8 proclamations declaring the availability of State  
9 correctional facilities, such persons may be committed to the  
10 [Bureau of Correction] Department of Corrections for  
11 confinement.

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