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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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# HOUSE BILL

## No. 2580

Session of  
1996

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INTRODUCED BY BOSCOLA, CALTAGIRONE, GEIST, STURLA, COY, HALUSKA,  
CARN, BROWNE, HERSHEY, ROBERTS, DeLUCA, MELIO, HORSEY, WAUGH,  
YOUNGBLOOD, STEELMAN, LUCYK, ROONEY, JOSEPHS, McGEEHAN, MERRY  
AND RAMOS, MAY 1, 1996

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SENATOR GREENLEAF, JUDICIARY, IN SENATE, AS AMENDED,  
JUNE 11, 1996

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AN ACT

1 Amending the act of December 19, 1990 (P.L.1391, No.215),  
2 entitled "An act providing for motivational boot camps for  
3 certain youthful offenders; and providing for selection of  
4 participants," further providing for definitions AND FOR <—  
5 SELECTION OF INMATE PARTICIPANTS.

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

8 Section 1. ~~Section 3~~ SECTIONS 3 AND 4(C) of the act of <—  
9 December 19, 1990 (P.L.1391, No.215), known as the Motivational  
10 Boot Camp Act, ~~is~~ ARE amended to read: <—

11 Section 3. Definitions.

12 The following words and phrases when used in this act shall  
13 have the meanings given to them in this section unless the  
14 context clearly indicates otherwise:

15 "Commission." The Pennsylvania Commission on Sentencing.

16 "Department." The Department of Corrections of the  
17 Commonwealth.

1 "Eligible inmate." A person sentenced to a term of  
2 confinement under the jurisdiction of the Department of  
3 Corrections who is serving a term of confinement, the minimum of  
4 which is not more than two years and the maximum of which is  
5 five years or less or an inmate who is serving a term of  
6 confinement the minimum of which is not more than five years  
7 where that inmate is within two years of completing his minimum  
8 term, and who has not reached 35 years of age at the time he is  
9 approved for participation in the motivational boot camp  
10 program. The term shall not include any inmate serving a  
11 sentence for any violation of one or more of the following  
12 provisions:

13 18 Pa.C.S. § 2501 (relating to criminal homicide).

14 18 Pa.C.S. § 2901 (relating to kidnapping).

15 18 Pa.C.S. § 3121 (relating to rape).

16 18 Pa.C.S. § 3123 (relating to involuntary deviate sexual  
17 intercourse).

18 18 Pa.C.S. § 3701(a)(1)(i), (ii) or (iii) (relating to  
19 robbery).

20 "Motivational boot camp." A program in which eligible  
21 inmates participate for a period of six months in a humane  
22 program for motivational boot camp programs which shall provide  
23 for rigorous physical activity, intensive regimentation and  
24 discipline, work on public projects, substance abuse treatment  
25 services licensed by the Department of Health, ventilation  
26 therapy, continuing education, vocational training and  
27 prerelease counseling.

28 "Secretary." The Secretary of Corrections of the  
29 Commonwealth.

30 SECTION 4. SELECTION OF INMATE PARTICIPANTS.

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2       (C) DUTIES OF DEPARTMENT.--THE SECRETARY SHALL PROMULGATE  
3 RULES AND REGULATIONS PROVIDING FOR INMATE SELECTION CRITERIA  
4 AND THE ESTABLISHMENT OF MOTIVATIONAL BOOT CAMP SELECTION  
5 COMMITTEES WITHIN EACH DIAGNOSTIC AND CLASSIFICATION CENTER OF  
6 THE DEPARTMENT. IN THE CASE OF AN INMATE WHO IS SERVING A TERM  
7 OF CONFINEMENT THE MINIMUM OF WHICH IS NOT MORE THAN FIVE YEARS  
8 AND WHO IS WITHIN TWO YEARS OF COMPLETING HIS MINIMUM TERM, THE  
9 DEPARTMENT MAY IDENTIFY AND SELECT THAT INMATE FOR PARTICIPATION  
10 IN A MOTIVATIONAL BOOT CAMP EVEN IF THE INMATE WAS NOT  
11 IDENTIFIED AT THE TIME OF SENTENCING AS LONG AS THAT INMATE IS  
12 OTHERWISE ELIGIBLE TO PARTICIPATE.

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