

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL
No. 1248 Session of
2007

INTRODUCED BY SCHRODER, BARRAR, BOYD, CLYMER, GINGRICH,
HENNESSEY, KORTZ, MAHONEY, O'NEILL, PYLE, THOMAS, VULAKOVICH
AND SIPTROTH, MAY 18, 2007

REFERRED TO COMMITTEE ON JUDICIARY, MAY 18, 2007

AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the
2 Pennsylvania Consolidated Statutes, providing, in
3 Pennsylvania Commission on Sentencing, for sentencing
4 database.

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

7 Section 1. Title 42 of the Pennsylvania Consolidated
8 Statutes is amended by adding a section to read:

9 § 2155.1. Sentencing database.

10 (a) General rule.--The commission shall maintain a database
11 of sentencing information which shall be open to public
12 inspection and shall be posted on the Internet. The database
13 shall be maintained in a format which allows sentencing
14 information to be searched at a minimum by criminal offense,
15 judge and judicial district.

16 (b) Contents of database.--The database shall contain
17 sentencing information which includes, at a minimum:

18 (1) The sentence for a conviction for each misdemeanor

1 or felony in this Commonwealth.

2 (2) Whether sentences were imposed consecutively or
3 concurrently.

4 (3) Whether a sentence was within the sentencing
5 guidelines adopted by the commission.

6 (4) The contemporaneous written statement provided by
7 the court pursuant to section 9721(b) (relating to sentencing
8 generally) for a sentence imposed outside the sentencing
9 guidelines.

10 (5) Whether an appellate court vacated a sentence and
11 remanded the case to the sentencing court pursuant to section
12 9781(c) (relating to appellate review of sentence).

13 (6) Whether the Commonwealth appealed a sentence for
14 failure to impose a mandatory minimum sentence and whether
15 the appellate court vacated a sentence and remanded the case
16 to the sentencing court under any provision of:

17 (i) This title:

18 Section 9712(d) (relating to sentences for
19 offenses committed with firearms).

20 Section 9712.1(e) (relating to sentences for
21 certain drug offenses committed with firearms).

22 Section 9713(e) (relating to sentences for
23 offenses committed on public transportation).

24 Section 9714(f) (relating to sentences for second
25 and subsequent offenses).

26 Section 9715(d) (relating to life imprisonment
27 for homicide).

28 Section 9719(d) (relating to sentences for
29 offenses committed while impersonating a law
30 enforcement officer).

1 (ii) Title 18 (relating to crimes and offenses):

2 Section 2506(e) (relating to drug delivery
3 resulting in death).

4 Section 5123(a.1) (relating to contraband).

5 Section 6111(h)(4) (relating to sale or transfer
6 of firearms).

7 Section 6314(e) (relating to sentencing and
8 penalties for trafficking drugs to minors).

9 Section 7508(d) (relating to drug trafficking
10 sentencing and penalties).

11 (iii) Any law imposing a mandatory minimum sentence.

12 (c) Definition.--As used in this section, the term
13 "conviction" includes a conviction, a finding of guilty or the
14 entering of a plea of guilty or nolo contendere.

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