
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 850 Session of
2007

INTRODUCED BY FERLO, FONTANA, WASHINGTON, KITCHEN, HUGHES AND
C. WILLIAMS, MAY 9, 2007

REFERRED TO JUDICIARY, MAY 9, 2007

AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the
2 Pennsylvania Consolidated Statutes, imposing a temporary
3 suspension of the death penalty.

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

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

8 § 9711.1. Temporary suspension of death penalty.

9 (a) General rule.--No execution shall take place for two
10 years from the effective date of this section.

11 (b) Commission established.--A commission on the death
12 penalty shall be created to study the law that provides for the
13 death penalty and the administration of the death penalty in
14 this Commonwealth. The commission shall make recommendations for
15 amendments to the death penalty law to provide assurances that:

16 (1) defendants who are sentenced to death are in fact
17 guilty of first degree murder;

18 (2) defendants in death penalty cases are provided

1 adequate and experienced counsel and adequate resources for
2 the defense of their cases at the trial, appellate and
3 postconviction stages;

4 (3) race of the defendant and of the victim do not play
5 an impermissible role in determining which defendants are
6 sentenced to death; and

7 (4) death penalty cases are handled similarly by all
8 district attorneys throughout this Commonwealth.

9 (c) Report.--The commission shall report to the General
10 Assembly within eight months from the effective date of this
11 section.

12 (d) Membership.--The commission shall consist of six members
13 as follows:

14 (1) Two members appointed by the Supreme Court.

15 (2) One member appointed by the President pro tempore of
16 the Senate.

17 (3) One member appointed by the Minority Leader of the
18 Senate.

19 (4) One member appointed by the Speaker of the House of
20 Representatives.

21 (5) One member appointed by the Minority Leader of the
22 House of Representatives.

23 Section 2. This act shall take effect immediately.