
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1161 Session of
2009

INTRODUCED BY GREENLEAF, WASHINGTON, FERLO, TARTAGLIONE, EARLL
AND LEACH, DECEMBER 14, 2009

REFERRED TO JUDICIARY, DECEMBER 14, 2009

AN ACT

1 Amending Title 61 (Penal and Correctional Institutions) of the
2 Pennsylvania Consolidated Statutes, in inmate prerelease
3 plans, providing for inmates serving short minimum sentences;
4 and, in probation and parole, further providing for parole
5 power.

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

8 Section 1. Title 61 of the Pennsylvania Consolidated
9 Statutes is amended by adding a section to read:

10 § 3705. Inmates serving short minimum sentences.

11 Subject to the provisions of this chapter on procedures for
12 prerelease, if an inmate is within 18 months of completing his
13 minimum sentence when the inmate is committed to the supervision
14 of the department and the inmate has no outstanding detainers,
15 the inmate may be transferred to and confined in a prerelease
16 center regardless of the length of time that the inmate has been
17 under the supervision of the department. While confined in the
18 prerelease center, the inmate may complete any prescribed
19 programming consistent with the inmate's prerelease plan.

1 Section 2. Section 6137(a) of Title 61 is amended by adding
2 a paragraph to read:

3 § 6137. Parole power.

4 (a) General criteria for parole.--

5 * * *

6 (3.1) (i) If an inmate's minimum term of imprisonment
7 is expiring and the primary reason for not paroling the
8 inmate is the inmate's inability to access and complete
9 prescribed programming within the correctional
10 institution, the board may release the inmate on parole
11 with the condition that the inmate complete the
12 prescribed programming while on parole.

13 (ii) This paragraph shall not apply to offenders who
14 are serving a term of imprisonment for a crime of
15 violence as defined in 42 Pa.C.S. § 9714 (relating to
16 sentences for second and subsequent offenses) or for a
17 crime requiring registration under 42 Pa.C.S. § 9795.1
18 (relating to registration).

19 * * *

20 Section 3. This act shall take effect in 60 days.