

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1428 Session of 2014

INTRODUCED BY V. BROWN, SIMMONS, NEILSON, GODSHALL, CLAY,  
 BISHOP, SWANGER, SCHREIBER, BROWNLEE, WATERS, KIRKLAND,  
 THOMAS, PARKER, KIM, MATZIE, WATSON, TOOHL, M. DALEY,  
 MCGEEHAN, DAVIDSON, YOUNGBLOOD, READSHAW, CALTAGIRONE,  
 CARROLL, SACCONI, GAINNEY, HARKINS, STERN AND SIMS,  
 MARCH 25, 2014

REFERRED TO COMMITTEE ON JUDICIARY, MARCH 25, 2014

AN ACT

1 Amending the act of April 9, 1929 (P.L.177, No.175), entitled  
 2 "An act providing for and reorganizing the conduct of the  
 3 executive and administrative work of the Commonwealth by the  
 4 Executive Department thereof and the administrative  
 5 departments, boards, commissions, and officers thereof,  
 6 including the boards of trustees of State Normal Schools, or  
 7 Teachers Colleges; abolishing, creating, reorganizing or  
 8 authorizing the reorganization of certain administrative  
 9 departments, boards, and commissions; defining the powers and  
 10 duties of the Governor and other executive and administrative  
 11 officers, and of the several administrative departments,  
 12 boards, commissions, and officers; fixing the salaries of the  
 13 Governor, Lieutenant Governor, and certain other executive  
 14 and administrative officers; providing for the appointment of  
 15 certain administrative officers, and of all deputies and  
 16 other assistants and employes in certain departments, boards,  
 17 and commissions; and prescribing the manner in which the  
 18 number and compensation of the deputies and all other  
 19 assistants and employes of certain departments, boards and  
 20 commissions shall be determined," further providing for board  
 21 of pardons.

22 The General Assembly of the Commonwealth of Pennsylvania  
 23 hereby enacts as follows:

24 Section 1. Section 909(c) of the act of April 9, 1929  
 25 (P.L.177, No.175), known as The Administrative Code of 1929,

1 amended June 1, 1995 (1st Sp.Sess., P.L.1017, No.15), is amended  
2 to read:

3 Section 909. Board of Pardons.--\* \* \*

4 (c) The Board of Pardons shall adopt rules and regulations  
5 governing its actions and no hearings or recommendations shall  
6 be contrary thereto. In cases involving applicants under  
7 sentence of death, the application shall be filed within ten  
8 days of the Governor's issuance of a warrant specifying a week  
9 for execution. The Board of Pardons shall use the following  
10 criteria when adopting rules and regulations:

11 (i) With the exception of applications under the  
12 sentence of death, no application submitted for the  
13 purpose of requesting a reprieve, commutation of sentence  
14 or pardon shall be accepted or reviewed by the Board of  
15 Pardons unless the applicant has satisfied criteria in  
16 subparagraph (ii).

17 (ii) Minimum eligibility requirements for applicants  
18 shall be as follows:

19 (A) No person shall be deemed eligible to submit  
20 an application with the Board of Pardons requesting a  
21 pardon until at least five years have elapsed from  
22 the date of the person's most recent conviction or  
23 release from confinement during instances when a  
24 conviction has resulted in any period of  
25 imprisonment. For the purposes of this clause, the  
26 term "conviction" shall not include a summary  
27 conviction for a traffic violation.

28 (B) No person shall be deemed eligible to submit  
29 an application with the Board of Pardons requesting a  
30 commutation of sentence until at least five years

1           have elapsed from the date following the person's  
2           most recent conviction. For the purposes of this  
3           clause, the term "conviction" shall not include a  
4           summary conviction for a traffic violation.

5           \* \* \*

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