

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 123 Session of 2019

INTRODUCED BY SABATINA, FONTANA, BREWSTER, MARTIN, K. WARD, MENSCH, DINNIMAN, COSTA, KILLION, J. WARD, BROWNE, MUTH, FARNESE, BLAKE, PHILLIPS-HILL, YUDICHAK, HAYWOOD, REGAN, BOSCOLA AND KEARNEY, JANUARY 28, 2019

SENATOR BAKER, JUDICIARY, AS AMENDED, MARCH 27, 2019

AN ACT

1 Amending Title 61 (Prisons and Parole) of the Pennsylvania
2 Consolidated Statutes, in Pennsylvania Board of Probation and
3 Parole, further providing for parole procedure.

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

6 Section 1. Section 6139(a) of Title 61 of the Pennsylvania
7 Consolidated Statutes is amended by adding a paragraph to read:

8 § 6139. Parole procedure.

9 (a) Specific requirements.--

10 * * *

11 (3.3) Notwithstanding paragraphs (2) and (3), the board
12 shall not be required to consider nor to dispose of an
13 application by an inmate or an inmate's attorney in the case
14 of an inmate determined to be a sexually violent predator as
15 defined under 42 Pa.C.S. § 9799.12 (relating to definitions) <--
16 if a parole decision has been issued by the board within
17 three years of the date of the current application for

parole. § 9799.58 (RELATING TO ASSESSMENTS) OR SENTENCED

UNDER ANY OF THE FOLLOWING:

(I) 18 U.S.C. § 2241 (RELATING TO AGGRAVATED SEXUAL ABUSE).

(II) 18 U.S.C. § 2242 (RELATING TO SEXUAL ABUSE).

(III) 18 U.S.C. § 2244 (RELATING TO ABUSIVE SEXUAL CONTACT), WHERE THE VICTIM IS UNDER 13 YEARS OF AGE.

(IV) 18 PA.C.S. § 2901(A.1) (RELATING TO KIDNAPPING).

(V) 18 PA.C.S. § 3121 (RELATING TO RAPE).

(VI) 18 PA.C.S. § 3122.1(B) (RELATING TO STATUTORY SEXUAL ASSAULT).

(VII) 18 PA.C.S. § 3123 (RELATING TO INVOLUNTARY DEVIATE SEXUAL INTERCOURSE).

(VIII) 18 PA.C.S. § 3124.1 (RELATING TO SEXUAL ASSAULT).

(IX) 18 PA.C.S. § 3124.2(A.1) (RELATING TO INSTITUTIONAL SEXUAL ASSAULT).

(X) 18 PA.C.S. § 3125 (RELATING TO AGGRAVATED INDECENT ASSAULT).

(XI) 18 PA.C.S. § 3126(A)(7) (RELATING TO INDECENT ASSAULT), WHERE THE VICTIM IS UNDER 13 YEARS OF AGE.

(XII) 18 PA.C.S. § 4302(B) (RELATING TO INCEST), IF A PAROLE DECISION HAS BEEN ISSUED BY THE BOARD WITHIN THREE YEARS OF THE DATE OF THE CURRENT APPLICATION FOR PAROLE.

* * *

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