
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1719 Session of
2021

INTRODUCED BY McCLINTON, KINSEY, A. BROWN, McNEILL, D. WILLIAMS,
PARKER, N. NELSON, DAVIDSON, SANCHEZ, MADDEN, GUENST,
HOHENSTEIN, RABB, DELLOSO, SIMS, INNAMORATO, A. DAVIS, ROWE
AND HOWARD, JULY 8, 2021

REFERRED TO COMMITTEE ON JUDICIARY, JULY 8, 2021

A JOINT RESOLUTION

1 Proposing an amendment to the Constitution of the Commonwealth
2 of Pennsylvania, further providing for pardoning power and
3 Board of Pardons.

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

6 Section 1. The following amendment to the Constitution of
7 Pennsylvania is proposed in accordance with Article XI:

8 That section 9(a) of Article IV of the Constitution of
9 Pennsylvania be amended to read:

10 § 9. Pardoning power; Board of Pardons.

11 (a) In all criminal cases except impeachment the Governor
12 shall have power to remit fines and forfeitures, to grant
13 reprieves, commutation of sentences and pardons; but no pardon
14 shall be granted, nor sentence commuted, except on the
15 recommendation in writing of a majority of the Board of Pardons,
16 and, in the case of a sentence of death or life imprisonment, on
17 the [unanimous] recommendation in writing of three-fifths of the

1 Board of Pardons, after full hearing in open session, upon due
2 public notice. The recommendation, with the reasons therefor at
3 length, shall be delivered to the Governor and a copy thereof
4 shall be kept on file in the office of the Lieutenant Governor
5 in a docket kept for that purpose.

6 * * *

7 Section 2. (a) Upon the first passage by the General
8 Assembly of this proposed constitutional amendment, the
9 Secretary of the Commonwealth shall proceed immediately to
10 comply with the advertising requirements of section 1 of Article
11 XI of the Constitution of Pennsylvania and shall transmit the
12 required advertisements to two newspapers in every county in
13 which such newspapers are published in sufficient time after
14 passage of this proposed constitutional amendment.

15 (b) Upon the second passage by the General Assembly of this
16 proposed constitutional amendment, the Secretary of the
17 Commonwealth shall proceed immediately to comply with the
18 advertising requirements of section 1 of Article XI of the
19 Constitution of Pennsylvania and shall transmit the required
20 advertisements to two newspapers in every county in which such
21 newspapers are published in sufficient time after passage of
22 this proposed constitutional amendment. The Secretary of the
23 Commonwealth shall submit this proposed constitutional amendment
24 to the qualified electors of this Commonwealth at the first
25 primary, general or municipal election which meets the
26 requirements of and is in conformance with section 1 of Article
27 XI of the Constitution of Pennsylvania and which occurs at least
28 three months after the proposed constitutional amendment is
29 passed by the General Assembly.