
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 463 Session of
2023

INTRODUCED BY KINSEY, MADDEN, HILL-EVANS, GIRAL, SANCHEZ,
D. WILLIAMS AND KRAJEWSKI, MARCH 16, 2023

REFERRED TO COMMITTEE ON JUDICIARY, MARCH 16, 2023

AN ACT

1 Amending Title 61 (Prisons and Parole) of the Pennsylvania
2 Consolidated Statutes, in Pennsylvania Board of Probation and
3 Parole, providing for earned compliance credit.

4 This act may be referred to as the Earned Compliance Credit
5 Act.

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

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

10 SUBCHAPTER H

11 EARNED COMPLIANCE CREDIT

12 Sec.

13 6191. Definitions.

14 6192. Earned compliance credits.

15 § 6191. Definitions.

16 The following words and phrases when used in this subchapter
17 shall have the meanings given to them in this section unless the
18 context clearly indicates otherwise:

1 "Agency." The Department of Corrections of the Commonwealth
2 or any regional, local or county governmental agency responsible
3 for supervising individuals placed on probation by the courts or
4 serving a period of parole or postrelease supervision from
5 prison or jail, provided such agencies receive funding from the
6 Commonwealth.

7 "Case plan." An individualized accountability and behavior
8 change strategy for supervised individuals that:

9 (1) Targets and prioritizes the specific criminal risk
10 factors of the offender.

11 (2) Matches programs to the offender's individual
12 characteristics such as gender, culture, motivational state,
13 developmental stage and learning style.

14 (3) Establishes a timetable for achieving specific
15 behavioral goals, including a schedule for payment of victim
16 restitution, child support and other financial obligations.

17 (4) Specifies positive and negative actions that will be
18 taken in response to the supervised individual's behaviors.

19 "Compliance credit." A period of 15 days for every month
20 that a supervised individual:

21 (1) Fulfills the terms of the supervised individual's
22 case plan.

23 (2) Has no new arrests.

24 (3) Makes scheduled monthly payments for restitution,
25 finances and fees.

26 "Supervised individual." An individual placed on probation
27 by the courts or serving a period of parole or postrelease
28 supervision from prison or jail.

29 § 6192. Earned compliance credits.

30 (a) Agency action.--The agency shall:

1 (1) Award earned compliance credits to a supervised
2 individual who satisfies the requirements specified in the
3 supervised individual's case plan.

4 (2) Place a supervised individual in a nonactive
5 supervision status for the number of days earned as
6 compliance credits.

7 (3) For supervised individuals in nonactive supervision,
8 submit a petition to the court or releasing authority to
9 request that the period of supervision be reduced by the
10 number of days of compliance credits earned by the
11 individual, when the supervised individual has no outstanding
12 restitution, fines or fees and is compliant on the
13 individual's court-ordered payment plan.

14 (4) Adopt rules and regulations, which shall be
15 published on all publicly accessible county Internet
16 websites, for the forfeiture of earned compliance credits for
17 supervised individuals who violate conditions of supervision.
18 The regulations shall provide that:

19 (i) Forfeiture is part of the agency's system of
20 graduated sanctions.

21 (ii) The extent of earned compliance credits
22 forfeited is related to the level of severity of the
23 violation.

24 (iii) Forfeiture of earned compliance credits is
25 limited to credits already earned and may not
26 prospectively deny future earned compliance credits.

27 (iv) A procedure is established for the restoration
28 of forfeited earned compliance credits based on the
29 supervised individual's compliance with supervision
30 conditions and progress in achieving the goals of the

1 supervised individual's case plan.

2 (b) Compliance.--An individual defaulting on the payment of
3 court costs, restitution or fines after imposition of a
4 sentence, who is determined by the court to lack financial means
5 to pay the costs, restitution or fines without causing undue
6 burden to the individual or the individual's family, may not be
7 prohibited from earning or being awarded earned compliance
8 credits so long as the individual is compliant with all other
9 requirements for eligibility under this subchapter.

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