

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1042 Session of
2025

INTRODUCED BY N. NELSON, MIHALEK, HILL-EVANS, SANCHEZ, BOYD,
CURRY, D. WILLIAMS, BRIGGS, CEPHAS, PIELLI AND KINKEAD,
MARCH 25, 2025

AS AMENDED ON SECOND CONSIDERATION, HOUSE OF REPRESENTATIVES,
FEBRUARY 4, 2026

AN ACT

1 Amending Titles 61 (Prisons and Parole) and 63 (Professions and
2 Occupations (State Licensed)) of the Pennsylvania
3 Consolidated Statutes, in general administration, providing
4 for earned vocational training and education credit; in
5 Pennsylvania Board of Probation and Parole, further providing
6 for parole power and for short sentence parole; and, in
7 powers and duties, further providing for consideration of
8 criminal convictions.

9 The General Assembly of the Commonwealth of Pennsylvania
10 hereby enacts as follows:

11 Section 1. Chapter 11 of Title 61 of the Pennsylvania
12 Consolidated Statutes is amended by adding a subchapter to read:

13 SUBCHAPTER E

14 EARNED VOCATIONAL TRAINING AND EDUCATION CREDIT

15 Sec.

16 1181. Scope and purpose of subchapter.

17 1182. Earned vocational training and education credit.

18 1183. Rules and regulations.

19 1184. CONSTRUCTION.

20 \$ 1181. Scope and purpose of subchapter.

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This subchapter relates to earned vocational training and education credits. This subchapter seeks to encourage inmate participation and completion of inmate vocational training and education programs for the purposes of improving public safety outcomes.

§ 1182. Earned vocational training and education credit.

(a) Training and credit.--Except as provided under this section, an inmate sentenced on or after the effective date of this section and ~~incarcerated under the supervision of~~ COMMITTED TO the department shall earn vocational training and education credit toward ~~sentence~~ reduction OF AN AGGREGATE MINIMUM SENTENCE according to the following schedule:

(1) Up to 90 days for completing a vocational ~~education~~ program as determined by the department.

~~(2)~~ 90 days for completing programming required by the department.

~~(3)~~ (2) 120 days for attaining a general education development or high school diploma.

~~(4)~~ (3) Up to 90 days for completing a course offered from an institution of higher education, as determined by the department.

~~(5)~~ (4) 180 days for attaining a degree from an institution of higher education.

(b) Limitation.--An inmate may not earn vocational training and education credits under subsection (a) in excess of one-fourth of the inmate's minimum sentence. Credits earned shall not be applied until the inmate has completed programming required by the department. Credits shall not be applied if the inmate has less than ~~four~~ NINE months to serve before parole eligibility.

1 ~~(c) Exclusions.--An inmate sentenced for a conviction under~~ <--
2 ~~OF any of the following may not earn vocational training and~~ <--
3 ~~education credits under subsection (a):~~

4 ~~(1) 18 Pa.C.S. § 2502 (relating to murder).~~

5 ~~(2) 18 Pa.C.S. § 3011(b) (relating to trafficking in~~ <--
6 ~~individuals).~~

7 ~~(3) 18 Pa.C.S. § 3012 (relating to involuntary~~
8 ~~servitude).~~

9 ~~(4) 18 Pa.C.S. § 3121 (relating to rape).~~

10 ~~(5) 18 Pa.C.S. § 3122.1(b) (relating to statutory sexual~~
11 ~~assault).~~

12 ~~(6) 18 Pa.C.S. § 3123 (relating to involuntary deviate~~
13 ~~sexual intercourse).~~

14 ~~(7) 18 Pa.C.S. § 3125(b) (relating to aggravated~~
15 ~~indecent assault).~~

16 ~~(8) A crime subject to a mandatory term of imprisonment~~
17 ~~under 42 Pa.C.S. § 9714 (relating to sentences for second and~~
18 ~~subsequent offenses), 9717 (relating to sentences for~~
19 ~~offenses against elderly persons), 9718 (relating to~~
20 ~~sentences for offenses against infant persons) or 9718.1~~
21 ~~(relating to sexual offender treatment).~~

22 ~~(2) 18 PA.C.S. § 2507 (RELATING TO CRIMINAL HOMICIDE OF~~ <--
23 ~~LAW ENFORCEMENT OFFICER)).~~

24 ~~(3) AN OFFENSE REQUIRING REGISTRATION UNDER 42 PA.C.S.~~
25 ~~CH. 97 SUBCH. H (RELATING TO REGISTRATION OF SEXUAL~~
26 ~~OFFENDERS) OR I (RELATING TO CONTINUED REGISTRATION OF SEXUAL~~
27 ~~OFFENDERS)).~~

28 ~~(4) (I) A SECOND OR SUBSEQUENT CRIME OF VIOLENCE AS~~
29 ~~DEFINED IN 42 PA.C.S. § 9714(G) (RELATING TO SENTENCES~~
30 ~~FOR SECOND AND SUBSEQUENT OFFENSES)).~~

1 (II) CRIMINAL ATTEMPT, CRIMINAL SOLICITATION OR
2 CRIMINAL CONSPIRACY TO COMMIT A CRIME OF VIOLENCE AS
3 DEFINED IN 42 PA.C.S. § 9714(G) OR AN EQUIVALENT CRIME IN
4 ANOTHER JURISDICTION.

5 (C.1) MISCONDUCT.--A PERSON SHALL NOT BE ELIGIBLE FOR EARNED
6 VOCATIONAL AND EDUCATION CREDITS UNDER SUBSECTION (A) IF THE
7 PERSON HAS BEEN FOUND GUILTY OF A MAJOR DISCIPLINARY INFRACTION
8 INVOLVING DRUGS, VIOLENCE OR A SEXUAL ACT AFTER THE EFFECTIVE
9 DATE OF THIS SUBSECTION.

10 (d) Parole.--The board may exercise its power to parole an
11 inmate at the expiration of the minimum term of imprisonment
12 fixed by the ~~court sentence~~ SENTENCING COURT less any earned <--
13 vocational training and education credits as provided under this
14 subchapter.

15 (e) Notice.--Eligibility for earned vocational training and
16 education credits shall be considered an element of the
17 disposition and sentence for the purposes of notice requirements
18 under section 213(f) of the act of November 24, 1998 (P.L.882,
19 No.111), known as the Crime Victims Act.

20 § 1183. Rules and regulations.

21 The department and board may adopt and promulgate rules and
22 regulations as deemed necessary to implement and administer this
23 subchapter.

24 § 1184. CONSTRUCTION. <--

25 (A) CONSTRUCTION.--THIS CHAPTER SHALL NOT BE CONSTRUED TO
26 CONFER ANY LEGAL RIGHT UPON AN INDIVIDUAL TO:

27 (1) PARTICIPATE IN AN EARNED VOCATIONAL TRAINING OR
28 EDUCATION CREDIT PROGRAM.

29 (2) CONTINUE PARTICIPATION IN AN EARNED VOCATIONAL
30 TRAINING OR EDUCATION CREDIT PROGRAM.

1 (3) FILE A CAUSE OF ACTION IN ANY COURT TO CHALLENGE THE
2 DEPARTMENT'S DETERMINATION REGARDING PARTICIPATION OR
3 COMPLETION OF ANY EARNED VOCATIONAL TRAINING OR EDUCATION
4 CREDIT PROGRAM.

5 (B) (RESERVED).

6 Section 2. Sections 6137(a)(3) and (3.1)(i) and (g)(2),
7 (2.1), (4) introductory paragraph and (5) and 6137.1(b) of Title
8 61 are amended to read:

9 § 6137. Parole power.

10 (a) General criteria for parole.--

11 * * *

12 (3) The power to parole granted under this section to
13 the board may not be exercised in the board's discretion at
14 any time before, but only after, the expiration of the
15 minimum term of imprisonment fixed by the court in its
16 sentence, less any vocational training and education credits
17 under Subchapter E of Chapter 11 (relating to earned
18 vocational training and education credit), or by the Board of
19 Pardons in a sentence which has been reduced by commutation.

20 (3.1) (i) Following the expiration of the offender's
21 minimum term of imprisonment, less any vocational
22 training and education credits under Subchapter E of
23 Chapter 11, if the primary reason for not paroling the
24 offender is the offender's inability to access and
25 complete prescribed programming within the correctional
26 institution, the board may release the offender on parole
27 with the condition that the offender complete the
28 prescribed programming while on parole.

29 * * *

30 (g) Procedures for Recidivism Risk Reduction Incentive.--

1 * * *

2 (2) Upon identification of an inmate as an eligible
3 offender, as defined under section 4503 (relating to
4 definitions), the department shall send notice to the board.
5 The board shall send notice to the prosecuting attorney and
6 the court no less than six months before the expiration of
7 the offender's minimum sentence or the inmate's minimum
8 sentence less any vocational training and educational credits
9 under Subchapter E of Chapter 11, whichever occurs first,
10 indicating that the department has preliminarily identified
11 the offender as an eligible offender. The notice shall be
12 sent by United States mail unless the board, the court and
13 the prosecutor have consented to receipt of notice via
14 electronic means. For offenders committed to the department
15 whose expiration of the minimum sentence is six months or
16 less from the date of admission, the department shall give
17 prompt notice.

18 (2.1) The department shall provide the board all
19 information related to the offender's adjustment while
20 incarcerated, misconducts, if any, information related to
21 programming and treatment, including success, completion or
22 failure to complete, any vocational training and education
23 credit earned under Subchapter E of Chapter 11, or any other
24 information the department deems relevant. The board shall
25 send such information to the prosecuting attorney and to the
26 court no less than six months before the expiration of the
27 offender's minimum sentence. The notice may be sent
28 electronically. For offenders committed to the department
29 whose expiration of the minimum sentence is six months or
30 less from the date of admission, such information shall be

1 sent at the same time prompt notice under paragraph (2) is
2 given.

3 * * *

4 (4) If no notice of objection has been filed under
5 paragraph (3), the eligible offender shall be paroled at the
6 minimum date, or the minimum date less any vocational
7 training and education credits under Subchapter E of Chapter
8 11, whichever occurs first, upon a determination by the board
9 or the board's designee that all of the following apply:

10 * * *

11 (5) If the court or prosecuting attorney files a timely
12 objection under paragraph (3), the board shall make a
13 determination as to whether the offender is an eligible
14 offender. The board shall notify the department, prosecuting
15 attorney and court of its determination no later than 30 days
16 prior to the minimum parole date[.], or a minimum parole date
17 less any earned vocational training and education credits
18 under Subchapter E of Chapter 11, whichever occurs first. If
19 the board determines that the offender is an eligible
20 offender under this chapter, the board shall follow the
21 provisions under paragraph (4). If the board determines that
22 the offender is not an eligible offender under section 4503
23 (relating to definitions), the board shall retain exclusive
24 jurisdiction to grant parole and shall determine whether the
25 offender should be paroled at the minimum date, less any
26 earned vocational training and education credits under
27 Subchapter E of Chapter 11, paroled at a later date or denied
28 parole.

29 * * *

30 § 6137.1. Short sentence parole.

1 * * *

2 (b) Approval of parole.--The board shall, without requiring
3 an interview, approve for parole a person eligible for short
4 sentence parole under this section at the expiration of the
5 person's minimum date or recidivism risk reduction incentive
6 minimum date, less any earned vocational training and education
7 credits under Subchapter E of Chapter 11 (relating to earned
8 vocational training and education credit), whichever is shorter.
9 If the person was committed to the department after expiration
10 of the person's minimum date, the board shall approve the person
11 for parole within 30 days after commitment to the department.

12 * * *

13 Section 3. Section 3113(c)(6) and (e)(1) of Title 63 are
14 amended to read:

15 § 3113. Consideration of criminal convictions.

16 * * *

17 (c) Individualized assessment.--A licensing board or
18 licensing commission shall conduct an individualized assessment
19 of the individual with respect to criminal convictions and
20 rehabilitation. The licensing board or licensing commission
21 shall only consider the following factors in order to determine
22 whether the individual meets the requirements for issuance of a
23 license, certificate, registration or permit under subsection
24 (b)(1) or (b)(2):

25 * * *

26 (6) Successful completion of education and training
27 activities, including those in a county correctional facility
28 or the Department of Corrections, and earning of vocational
29 training and education credits, if applicable.

30 * * *

1 (e) Crimes of violence.--An individual convicted of a crime
2 of violence as defined in 42 Pa.C.S. § 9714 (relating to
3 sentences for second and subsequent offenses) may be granted a
4 license, registration, certificate or permit by a licensing
5 board or licensing commission if all of the following apply:

6 (1) If the individual was incarcerated, at least three
7 years have elapsed since release from incarceration. The
8 period of three years shall be tolled for a violation of
9 parole. The period of three years under this paragraph shall
10 be reduced by a period of time equal to any earned vocational
11 training and education credits under 61 Pa.C.S. Ch. 11 Subch.
12 E (relating to earned vocational training and education
13 credit).

14 * * *

15 Section 4. This act shall take effect in one year.