

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, KINKEAD, RIVERA
AND O'MARA, MARCH 25, 2025

SENATOR PITTMAN, RULES AND EXECUTIVE NOMINATIONS, IN SENATE, RE-
REPORTED AS AMENDED, JULY 11, 2026

AN ACT

~~Amending Titles 61 (Prisons and Parole) and 63 (Professions and~~ <--
~~Occupations (State Licensed)) of the Pennsylvania~~
~~Consolidated Statutes, in general administration, providing~~
~~for earned vocational training and education credit; in~~
~~Pennsylvania Board of Probation and Parole, further providing~~
~~for parole power and for short sentence parole; and, in~~
~~powers and duties, further providing for consideration of~~
~~criminal convictions.~~
AMENDING TITLE TITLES 18 (CRIMES AND OFFENSES), 42 (JUDICIARY <--
AND JUDICIAL PROCEDURE) AND 61 (PRISONS AND PAROLE) OF THE
PENNSYLVANIA CONSOLIDATED STATUTES, IN AUTHORIZED DISPOSITION <--
OF OFFENDERS, FURTHER PROVIDING FOR SENTENCE FOR MURDER,
MURDER OF UNBORN CHILD AND MURDER OF LAW ENFORCEMENT OFFICER
AND PROVIDING FOR SENTENCE FOR MURDER OF THE SECOND DEGREE;
IN SENTENCING, FURTHER PROVIDING FOR SENTENCES FOR SECOND AND
SUBSEQUENT OFFENSES AND FOR LIFE IMPRISONMENT FOR HOMICIDE;
IN GENERAL ADMINISTRATION, PROVIDING FOR EARNED VOCATIONAL
TRAINING AND EDUCATION CREDIT; IN MOTIVATIONAL BOOT CAMP, <--
FURTHER PROVIDING FOR DEFINITIONS; AND, IN PENNSYLVANIA BOARD
OF PROBATION AND PAROLE, FURTHER PROVIDING FOR PAROLE POWER
AND FOR SHORT SENTENCE PAROLE-, PROVIDING FOR PAROLE <--
ELIGIBILITY FOR OFFENDERS SENTENCED TO LIFE FOR MURDER OF THE
SECOND DEGREE AND FURTHER PROVIDING FOR PAROLE PROCEDURE AND
FOR VICTIM STATEMENTS, TESTIMONY AND PARTICIPATION IN
HEARING.
The General Assembly of the Commonwealth of Pennsylvania
hereby enacts as follows:
Section 1. Chapter 11 of Title 61 of the Pennsylvania <--

1 ~~Consolidated Statutes is amended by adding a subchapter to read:~~

2 SECTION 1. SECTION 1102(B) OF TITLE 18 OF THE PENNSYLVANIA <--
3 CONSOLIDATED STATUTES IS AMENDED TO READ:

4 § 1102. SENTENCE FOR MURDER, MURDER OF UNBORN CHILD AND MURDER
5 OF LAW ENFORCEMENT OFFICER.

6 * * *

7 (B) SECOND DEGREE.--EXCEPT AS PROVIDED UNDER SECTION 1102.1,
8 A PERSON WHO HAS BEEN CONVICTED OF [MURDER OF THE SECOND DEGREE,
9 OF] SECOND DEGREE MURDER OF AN UNBORN CHILD OR OF SECOND DEGREE
10 MURDER OF A LAW ENFORCEMENT OFFICER SHALL BE SENTENCED TO A TERM
11 OF LIFE IMPRISONMENT.

12 * * *

13 SECTION 2. TITLE 18 IS AMENDED BY ADDING A SECTION TO READ:
14 § 1102.2. SENTENCE FOR MURDER OF THE SECOND DEGREE.

15 (A) SENTENCING.--EXCEPT AS PROVIDED UNDER SUBSECTIONS (B)
16 AND (C), A DEFENDANT WHO HAS BEEN CONVICTED OF MURDER OF THE
17 SECOND DEGREE AND WHO WAS 18 YEARS OF AGE OR OLDER AT THE TIME
18 OF THE COMMISSION OF THE OFFENSE SHALL BE SENTENCED TO A TERM OF
19 IMPRISONMENT, THE MINIMUM OF WHICH SHALL BE FIXED BY THE COURT
20 AT NOT LESS THAN 35 YEARS AND THE MAXIMUM OF WHICH MAY NOT
21 EXCEED LIFE IMPRISONMENT.

22 (B) LIFE WITHOUT PAROLE.--

23 (1) THE COURT MAY SENTENCE A DEFENDANT WHO HAS BEEN
24 CONVICTED OF MURDER OF THE SECOND DEGREE AND WHO WAS 18 YEARS
25 OF AGE OR OLDER AT THE TIME OF THE COMMISSION OF THE OFFENSE
26 TO LIFE IMPRISONMENT WITHOUT PAROLE IF THE FINDER OF FACT
27 DETERMINES BEYOND A REASONABLE DOUBT THAT:

28 (I) THE DEFENDANT KILLED, ATTEMPTED TO KILL OR
29 INTENDED TO KILL THE VICTIM; AND

30 (II) AT LEAST ONE OF THE FOLLOWING:

1 (A) THE VICTIM WAS A LAW ENFORCEMENT OFFICER OR
2 A CHILD UNDER 13 YEARS OF AGE;

3 (B) DURING THE COMMISSION OF THE OFFENSE, THE
4 DEFENDANT ENGAGED AS A PRINCIPAL IN A VIOLATION OF
5 SECTION 3121 (RELATING TO RAPE) OR 3123 (RELATING TO
6 INVOLUNTARY DEVIATE SEXUAL INTERCOURSE);

7 (C) THE DEFENDANT WAS PREVIOUSLY CONVICTED OF A
8 CRIME OF VIOLENCE; OR

9 (D) IN ADDITION TO A VICTIM DESCRIBED IN
10 SUBPARAGRAPH (I), THE DEFENDANT CAUSED SERIOUS BODILY
11 INJURY OR DEATH TO ANOTHER VICTIM DURING THE
12 COMMISSION OF THE OFFENSE.

13 (2) THE COMMONWEALTH SHALL PROVIDE REASONABLE NOTICE TO
14 THE DEFENDANT OF ITS INTENTION TO SEEK A SENTENCE OF LIFE
15 IMPRISONMENT WITHOUT PAROLE UNDER THIS SUBSECTION. THE NOTICE
16 SHALL BE PROVIDED BY SPECIFICALLY ALLEGING IN THE CHARGING
17 DOCUMENT ANY FACT AUTHORIZING A LIFE WITHOUT PAROLE SENTENCE
18 UNDER PARAGRAPH (1).

19 (C) SENTENCING MITIGATION.--

20 (1) A DEFENDANT WHO HAS BEEN CONVICTED OF MURDER OF THE
21 SECOND DEGREE AND WHO WAS 18 YEARS OF AGE OR OLDER AT THE
22 TIME OF THE COMMISSION OF THE OFFENSE MAY BE SENTENCED TO A
23 MINIMUM TERM OF IMPRISONMENT OF LESS THAN 35 YEARS, BUT NOT
24 LESS THAN 10 YEARS, AND THE MAXIMUM OF WHICH MAY NOT EXCEED
25 40 YEARS, IF THE DEFENDANT PROVES AT SENTENCING BY A
26 PREPONDERANCE OF THE EVIDENCE, AND THE COURT SPECIFICALLY
27 FINDS, ALL OF THE FOLLOWING:

28 (I) THE DEFENDANT WAS NOT THE ONLY PARTICIPANT IN
29 THE COMMISSION OF THE OFFENSE.

30 (II) THE DEFENDANT DID NOT SOLICIT, REQUEST,

1 CONSPIRE, COMMAND, PLAN OR FURTHER AID ANOTHER TO CAUSE
2 THE VICTIM'S DEATH.

3 (III) THE DEFENDANT DID NOT BRANDISH, USE OR
4 THREATEN TO USE A DEADLY WEAPON IN THE COMMISSION OF THE
5 OFFENSE.

6 (IV) THE DEFENDANT HAD NO REASON TO BELIEVE THAT ANY
7 OTHER PARTICIPANT WOULD USE A DEADLY WEAPON.

8 (V) THE DEFENDANT HAD NO REASON TO BELIEVE THAT ANY
9 OTHER PARTICIPANT INTENDED TO ENGAGE IN CONDUCT LIKELY TO
10 RESULT IN DEATH OR SERIOUS BODILY INJURY TO ANY PERSON.

11 (VI) THE DEFENDANT DID NOT CAUSE SERIOUS BODILY
12 INJURY TO ANOTHER DURING THE COMMISSION OF THE OFFENSE.

13 (2) THIS SUBSECTION SHALL NOT APPLY TO A DEFENDANT WHEN,
14 UNDER SUBSECTION (B), ANY OF THE FACTORS DESCRIBED IN
15 SUBSECTION (B) (1) HAVE BEEN FOUND BEYOND A REASONABLE DOUBT.

16 (3) NOTHING IN THIS SUBSECTION SHALL BE INTERPRETED TO
17 AUTHORIZE THE COURT TO OVERRIDE OR OTHERWISE CONTRADICT A
18 JURY'S SPECIFIC FINDING REGARDING WHETHER A FACT DESCRIBED
19 UNDER SUBSECTION (B) (1) WAS PROVEN BEYOND A REASONABLE DOUBT.

20 (D) CULPABILITY ASSESSMENT.--IN DECIDING THE TERM OF
21 INCARCERATION TO IMPOSE, THE COURT MAY CONSIDER ANY OF THE
22 FOLLOWING:

23 (1) THE IMPACT OF THE OFFENSE ON EACH VICTIM, INCLUDING
24 ORAL AND WRITTEN VICTIM IMPACT STATEMENTS MADE OR SUBMITTED
25 BY FAMILY MEMBERS OF THE VICTIM DETAILING THE PHYSICAL,
26 PSYCHOLOGICAL AND ECONOMIC EFFECTS OF THE CRIME ON THE VICTIM
27 AND THE VICTIM'S FAMILY. A VICTIM IMPACT STATEMENT MAY
28 INCLUDE COMMENT ON THE SENTENCE OF THE DEFENDANT.

29 (2) THE IMPACT OF THE OFFENSE ON THE COMMUNITY.

30 (3) THE THREAT TO THE SAFETY OF THE PUBLIC OR ANY

1 INDIVIDUAL POSED BY THE DEFENDANT.

2 (4) THE NATURE AND CIRCUMSTANCES OF THE OFFENSE
3 COMMITTED BY THE DEFENDANT.

4 (5) THE DEGREE OF THE DEFENDANT'S CULPABILITY.

5 (6) GUIDELINES FOR SENTENCING AND RESENTENCING ADOPTED
6 BY THE PENNSYLVANIA COMMISSION ON SENTENCING.

7 (7) CHARACTERISTICS OF THE DEFENDANT, INCLUDING:

8 (I) AGE.

9 (II) MENTAL CAPACITY.

10 (III) MATURITY.

11 (IV) THE DEGREE OF CRIMINAL SOPHISTICATION EXHIBITED
12 BY THE DEFENDANT.

13 (V) THE NATURE AND EXTENT OF ANY PRIOR DELINQUENT OR
14 CRIMINAL HISTORY, INCLUDING THE SUCCESS OR FAILURE OF ANY
15 PREVIOUS ATTEMPTS BY THE COURT TO REHABILITATE THE
16 DEFENDANT.

17 (VI) PROBATION OR INSTITUTIONAL REPORTS.

18 (8) OTHER RELEVANT FACTORS.

19 (E) SENTENCING GUIDELINES.--

20 (1) THE PENNSYLVANIA COMMISSION ON SENTENCING SHALL
21 FOLLOW THE PUBLICATION PROCESS UNDER 42 PA.C.S. § 2155
22 (RELATING TO PUBLICATION OF GUIDELINES FOR SENTENCING,
23 RESENTENCING AND PAROLE, RISK ASSESSMENT INSTRUMENT AND
24 RECOMMITMENT RANGES FOLLOWING REVOCATION) FOR THE PROPOSAL OF
25 ALL SENTENCING GUIDELINES UNDER THIS SECTION.

26 (2) SENTENCING GUIDELINES PUBLISHED UNDER THIS SECTION
27 SHALL CONSIDER THE VARYING DEGREES OF CULPABILITY OF A
28 DEFENDANT AND THE NATURE OF THE CIRCUMSTANCES OF AN OFFENSE.

29 (3) SENTENCING GUIDELINES MAY NOT SUPERSEDE THE
30 MANDATORY SENTENCES PROVIDED IN THIS SECTION.

1 (4) WITHIN 60 DAYS OF THE EFFECTIVE DATE OF THIS
2 SUBSECTION, THE PENNSYLVANIA COMMISSION ON SENTENCING SHALL
3 BEGIN THE PUBLICATION PROCESS UNDER 42 PA.C.S. § 2155.

4 (F) DEFINITIONS.--AS USED IN THIS SECTION, THE FOLLOWING
5 WORDS AND PHRASES SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS
6 SUBSECTION UNLESS THE CONTEXT CLEARLY INDICATES OTHERWISE:

7 "CRIME OF VIOLENCE." AS DEFINED IN 42 PA.C.S. § 9714(G)
8 (RELATING TO SENTENCES FOR SECOND AND SUBSEQUENT OFFENSES).

9 "DEADLY WEAPON." AS DEFINED IN SECTION 2301 (RELATING TO
10 DEFINITIONS).

11 "PRINCIPAL." AS DEFINED IN SECTION 2502(D) (RELATING TO
12 MURDER).

13 "SERIOUS BODILY INJURY." AS DEFINED IN SECTION 2301.

14 SECTION 3. SECTIONS 9714(G) AND 9715(A) OF TITLE 42 ARE
15 AMENDED TO READ:

16 § 9714. SENTENCES FOR SECOND AND SUBSEQUENT OFFENSES.

17 * * *

18 (G) DEFINITION.--AS USED IN THIS SECTION, THE TERM "CRIME OF
19 VIOLENCE" MEANS MURDER OF THE SECOND DEGREE OR THE THIRD DEGREE,
20 VOLUNTARY MANSLAUGHTER, MANSLAUGHTER OF A LAW ENFORCEMENT
21 OFFICER AS DEFINED IN 18 PA.C.S. § 2507(C) OR (D) (RELATING TO
22 CRIMINAL HOMICIDE OF LAW ENFORCEMENT OFFICER), MURDER OF THE
23 THIRD DEGREE INVOLVING AN UNBORN CHILD AS DEFINED IN 18 PA.C.S.
24 § 2604(C) (RELATING TO MURDER OF UNBORN CHILD), AGGRAVATED
25 ASSAULT OF AN UNBORN CHILD AS DEFINED IN 18 PA.C.S. § 2606
26 (RELATING TO AGGRAVATED ASSAULT OF UNBORN CHILD), AGGRAVATED
27 ASSAULT AS DEFINED IN 18 PA.C.S. § 2702(A)(1) OR (2) (RELATING
28 TO AGGRAVATED ASSAULT), ASSAULT OF LAW ENFORCEMENT OFFICER AS
29 DEFINED IN 18 PA.C.S. § 2702.1(A)(1) (RELATING TO ASSAULT OF LAW
30 ENFORCEMENT OFFICER), USE OF WEAPONS OF MASS DESTRUCTION AS

1 DEFINED IN 18 PA.C.S. § 2716(B) (RELATING TO WEAPONS OF MASS
2 DESTRUCTION), TERRORISM AS DEFINED IN 18 PA.C.S. § 2717(B) (2)
3 (RELATING TO TERRORISM), STRANGULATION WHEN THE OFFENSE IS
4 GRADED AS A FELONY AS DEFINED IN 18 PA.C.S. § 2718 (RELATING TO
5 STRANGULATION), TRAFFICKING OF PERSONS WHEN THE OFFENSE IS
6 GRADED AS A FELONY OF THE FIRST DEGREE AS PROVIDED IN 18 PA.C.S.
7 § 3011 (RELATING TO TRAFFICKING IN INDIVIDUALS), RAPE,
8 INVOLUNTARY DEVIATE SEXUAL INTERCOURSE, AGGRAVATED INDECENT
9 ASSAULT, INCEST, SEXUAL ASSAULT, ARSON ENDANGERING PERSONS OR
10 AGGRAVATED ARSON AS DEFINED IN 18 PA.C.S. § 3301(A) OR (A.1)
11 (RELATING TO ARSON AND RELATED OFFENSES), ECOTERRORISM AS
12 CLASSIFIED IN 18 PA.C.S. § 3311(B) (3) (RELATING TO
13 ECOTERRORISM), KIDNAPPING, BURGLARY AS DEFINED IN 18 PA.C.S. §
14 3502(A) (1) (RELATING TO BURGLARY), ROBBERY AS DEFINED IN 18
15 PA.C.S. § 3701(A) (1) (I), (II) OR (III) (RELATING TO ROBBERY), OR
16 ROBBERY OF A MOTOR VEHICLE, DRUG DELIVERY RESULTING IN DEATH AS
17 DEFINED IN 18 PA.C.S. § 2506(A) (RELATING TO DRUG DELIVERY
18 RESULTING IN DEATH), OR CRIMINAL ATTEMPT, CRIMINAL CONSPIRACY OR
19 CRIMINAL SOLICITATION TO COMMIT MURDER OR ANY OF THE OFFENSES
20 LISTED ABOVE, OR AN EQUIVALENT CRIME UNDER THE LAWS OF THIS
21 COMMONWEALTH IN EFFECT AT THE TIME OF THE COMMISSION OF THAT
22 OFFENSE OR AN EQUIVALENT CRIME IN ANOTHER JURISDICTION.

23 § 9715. LIFE IMPRISONMENT FOR HOMICIDE.

24 (A) MANDATORY LIFE IMPRISONMENT.--NOTWITHSTANDING THE
25 PROVISIONS OF SECTION 9712 (RELATING TO SENTENCES FOR OFFENSES
26 COMMITTED WITH FIREARMS), 9713 (RELATING TO SENTENCES FOR
27 OFFENSES COMMITTED ON PUBLIC TRANSPORTATION) OR 9714 (RELATING
28 TO SENTENCES FOR SECOND AND SUBSEQUENT OFFENSES), ANY PERSON
29 CONVICTED OF MURDER OF THE SECOND DEGREE OR MURDER OF THE THIRD
30 DEGREE IN THIS COMMONWEALTH WHO HAS PREVIOUSLY BEEN CONVICTED AT

1 ANY TIME OF MURDER OR VOLUNTARY MANSLAUGHTER IN THIS
2 COMMONWEALTH OR OF THE SAME OR SUBSTANTIALLY EQUIVALENT CRIME IN
3 ANY OTHER JURISDICTION SHALL BE SENTENCED TO LIFE IMPRISONMENT,
4 NOTWITHSTANDING ANY OTHER PROVISION OF THIS TITLE OR OTHER
5 STATUTE TO THE CONTRARY.

6 * * *

7 SECTION 4. CHAPTER 11 OF TITLE 61 IS AMENDED BY ADDING A
8 SUBCHAPTER TO READ:

9 SUBCHAPTER E

10 EARNED VOCATIONAL TRAINING AND EDUCATION CREDIT

11 Sec.

12 1181. Scope and purpose of subchapter.

13 1182. Earned vocational training and education credit.

14 1183. Rules and regulations.

15 1184. Construction.

16 § 1181. Scope and purpose of subchapter.

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

22 § 1182. Earned vocational training and education credit.

23 (a) Training and credit.--Except as provided under this
24 section, an inmate sentenced on or after the effective date of
25 this section and committed to the department shall earn
26 vocational training and education credit toward reduction of an
27 aggregate minimum sentence according to the following schedule:

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

30 (2) UP TO 120 days for attaining a general education

<--

1 development or high school diploma.

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

5 (4) UP TO 180 days for attaining a degree from an <--
6 institution of higher education.

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

14 (c) Exclusions.--An inmate sentenced for a conviction of any
15 of the following OR SENTENCED FOR A CONVICTION OF CRIMINAL <--
16 ATTEMPT OF, CRIMINAL SOLICITATION OF OR CRIMINAL CONSPIRACY TO
17 COMMIT ANY OF THE FOLLOWING may not earn vocational training and
18 education credits under subsection (a):

19 (1) ~~18 Pa.C.S. § 2502 (relating to murder).~~ AN OFFENSE <--
20 UNDER 18 PA.C.S. CH. 25 (RELATING TO CRIMINAL HOMICIDE).

21 ~~(2) 18 Pa.C.S. § 2507 (relating to criminal homicide of~~ <--
22 ~~law enforcement officer).~~

23 ~~(3) (2) An offense requiring registration under 42~~ <--
24 ~~Pa.C.S. Ch. 97 Subch. H (relating to registration of sexual~~
25 ~~offenders) or I (relating to continued registration of sexual~~
26 ~~offenders) UNDER 42 PA.C.S. § 9799.14 (RELATING TO SEXUAL~~ <--
27 ~~OFFENSES AND TIER SYSTEM).~~

28 ~~(4) (i) (3) 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).~~ <--

~~(ii) Criminal attempt, criminal solicitation or
criminal conspiracy to commit a crime of violence as
defined in 42 Pa.C.S. § 9714(g) or an equivalent crime in
another jurisdiction. OR AN EQUIVALENT CRIME IN ANOTHER~~ <--
JURISDICTION.

(c.1) Misconduct.--A person shall not be eligible for earned
vocational and education credits under subsection (a) if the
person has been found guilty of a major disciplinary infraction
involving drugs, violence or a sexual act after the effective <--
date of this subsection DURING THE SENTENCE THAT THE PERSON IS <--
SERVING.

(d) Parole.--The board may exercise its power to parole an
inmate at the expiration of the minimum term of imprisonment
fixed by the sentencing court less any earned vocational
training and education credits as provided under this
subchapter.

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

(F) CREDIT CONSIDERATION.--EARNING VOCATIONAL TRAINING AND <--
EDUCATION CREDIT UNDER THIS SUBCHAPTER SHALL BE CONSIDERED
EDUCATION AND TRAINING ACTIVITIES FOR THE PURPOSES OF AN
INDIVIDUALIZED ASSESSMENT UNDER 63 PA.C.S. § 3113(C) (6)
(RELATING TO CONSIDERATION OF CRIMINAL CONVICTIONS).

§ 1183. Rules and regulations.

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

1 § 1184. Construction.

2 (a) Construction.--This chapter shall not be construed to
3 confer any legal right upon an individual to:

4 (1) Participate in an earned vocational training or
5 education credit program.

6 (2) Continue participation in an earned vocational
7 training or education credit program.

8 (3) File a cause of action in any court to challenge the
9 department's determination regarding participation or
10 completion of any earned vocational training or education
11 credit program.

12 (b) (Reserved).

13 SECTION 5. THE DEFINITION OF "ELIGIBLE INMATE" IN SECTION
14 3903 OF TITLE 61 IS AMENDED TO READ:

15 § 3903. DEFINITIONS.

16 THE FOLLOWING WORDS AND PHRASES WHEN USED IN THIS CHAPTER
17 SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SECTION UNLESS THE
18 CONTEXT CLEARLY INDICATES OTHERWISE:

19 * * *

20 "ELIGIBLE INMATE." A PERSON SENTENCED TO A TERM OF
21 CONFINEMENT UNDER THE JURISDICTION OF THE DEPARTMENT OF
22 CORRECTIONS WHO IS SERVING A TERM OF CONFINEMENT, THE MINIMUM OF
23 WHICH IS NOT MORE THAN TWO YEARS AND THE MAXIMUM OF WHICH IS
24 FIVE YEARS OR LESS, OR AN INMATE WHO IS SERVING A TERM OF
25 CONFINEMENT, THE MINIMUM OF WHICH IS NOT MORE THAN THREE YEARS
26 WHERE THAT INMATE IS WITHIN TWO YEARS OF COMPLETING HIS MINIMUM
27 TERM, AND WHO HAS NOT REACHED 40 YEARS OF AGE AT THE TIME HE IS
28 APPROVED FOR PARTICIPATION IN THE MOTIVATIONAL BOOT CAMP
29 PROGRAM. THE TERM SHALL NOT INCLUDE ANY INMATE WHO IS SUBJECT TO
30 A SENTENCE THE CALCULATION OF WHICH INCLUDED AN ENHANCEMENT FOR

<--

1 THE USE OF A DEADLY WEAPON AS DEFINED PURSUANT TO THE SENTENCING
2 GUIDELINES PROMULGATED BY THE PENNSYLVANIA COMMISSION ON
3 SENTENCING, ANY INMATE WHO HAS BEEN CONVICTED OR ADJUDICATED
4 DELINQUENT OF ANY CRIME LISTED UNDER 42 PA.C.S. CH. 97 SUBCH. H
5 (RELATING TO REGISTRATION OF SEXUAL OFFENDERS) OR I (RELATING TO
6 CONTINUED REGISTRATION OF SEXUAL OFFENDERS) OR ANY INMATE WITH A
7 CURRENT CONVICTION OR A PRIOR CONVICTION WITHIN THE PAST TEN
8 YEARS FOR 18 PA.C.S. § 2502 (RELATING TO MURDER), DRUG
9 TRAFFICKING AS DEFINED IN SECTION 4103 (RELATING TO DEFINITIONS)
10 OR A CRIME OF VIOLENCE AS DEFINED IN 42 PA.C.S. § 9714(G)
11 (RELATING TO SENTENCES FOR SECOND OR SUBSEQUENT OFFENSES) OR WHO
12 HAS EVER BEEN CONVICTED OF MURDER OF THE SECOND DEGREE OR
13 CRIMINAL ATTEMPT, CRIMINAL SOLICITATION OR CRIMINAL CONSPIRACY
14 TO COMMIT ANY OF THESE OFFENSES.

15 * * *

16 Section ~~2~~ 6. Sections 6137(a)(3) and (3.1)(i) and (g)(2), <--
17 (2.1), (4) introductory paragraph and (5) and 6137.1(b) of Title
18 61 are amended to read:

19 § 6137. Parole power.

20 (a) General criteria for parole.--

21 * * *

22 (3) The power to parole granted under this section to
23 the board may not be exercised in the board's discretion at
24 any time before, but only after, the expiration of the
25 minimum term of imprisonment fixed by the court in its
26 sentence, less any vocational training and education credits
27 under Subchapter E of Chapter 11 (relating to earned
28 vocational training and education credit), or by the Board of
29 Pardons in a sentence which has been reduced by commutation.

30 (3.1) (i) Following the expiration of the offender's

1 minimum term of imprisonment, less any vocational
2 training and education credits under Subchapter E of
3 Chapter 11, if the primary reason for not paroling the
4 offender is the offender's inability to access and
5 complete prescribed programming within the correctional
6 institution, the board may release the offender on parole
7 with the condition that the offender complete the
8 prescribed programming while on parole.

9 * * *

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

11 * * *

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

28 (2.1) The department shall provide the board all
29 information related to the offender's adjustment while
30 incarcerated, misconducts, if any, information related to

1 programming and treatment, including success, completion or
2 failure to complete, any vocational training and education
3 credit earned under Subchapter E of Chapter 11, or any other
4 information the department deems relevant. The board shall
5 send such information to the prosecuting attorney and to the
6 court no less than six months before the expiration of the
7 offender's minimum sentence. The notice may be sent
8 electronically. For offenders committed to the department
9 whose expiration of the minimum sentence is six months or
10 less from the date of admission, such information shall be
11 sent at the same time prompt notice under paragraph (2) is
12 given.

13 * * *

14 (4) If no notice of objection has been filed under
15 paragraph (3), the eligible offender shall be paroled at the
16 minimum date, or the minimum date less any vocational
17 training and education credits under Subchapter E of Chapter
18 11, whichever occurs first, upon a determination by the board
19 or the board's designee that all of the following apply:

20 * * *

21 (5) If the court or prosecuting attorney files a timely
22 objection under paragraph (3), the board shall make a
23 determination as to whether the offender is an eligible
24 offender. The board shall notify the department, prosecuting
25 attorney and court of its determination no later than 30 days
26 prior to the minimum parole date[.], or a minimum parole date
27 less any earned vocational training and education credits
28 under Subchapter E of Chapter 11, whichever occurs first. If
29 the board determines that the offender is an eligible
30 offender under this chapter, the board shall follow the

provisions under paragraph (4). If the board determines that the offender is not an eligible offender under section 4503 (relating to definitions), the board shall retain exclusive jurisdiction to grant parole and shall determine whether the offender should be paroled at the minimum date, less any earned vocational training and education credits under Subchapter E of Chapter 11, paroled at a later date or denied parole.

* * *

§ 6137.1. Short sentence parole.

* * *

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

* * *

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

~~§ 3113. Consideration of criminal convictions.~~

~~* * *~~

~~(c) Individualized assessment. A licensing board or licensing commission shall conduct an individualized assessment of the individual with respect to criminal convictions and rehabilitation. The licensing board or licensing commission~~

<--

1 ~~shall only consider the following factors in order to determine~~
2 ~~whether the individual meets the requirements for issuance of a~~
3 ~~license, certificate, registration or permit under subsection~~
4 ~~(b) (1) or (b) (2):~~

5 * * *

6 ~~(6) Successful completion of education and training~~
7 ~~activities, including those in a county correctional facility~~
8 ~~or the Department of Corrections, and earning of vocational~~
9 ~~training and education credits, if applicable.~~

10 * * *

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

16 ~~(1) If the individual was incarcerated, at least three~~
17 ~~years have elapsed since release from incarceration. The~~
18 ~~period of three years shall be tolled for a violation of~~
19 ~~parole. The period of three years under this paragraph shall~~
20 ~~be reduced by a period of time equal to any earned vocational~~
21 ~~training and education credits under 61 Pa.C.S. Ch. 11 Subch.~~
22 ~~E (relating to earned vocational training and education~~
23 ~~credit).~~

24 * * *

25 ~~Section 4 3. This act shall take effect in one year.~~

<--

26 SECTION 7. TITLE 61 IS AMENDED BY ADDING A SECTION TO READ:

<--

27 § 6137.3. PAROLE ELIGIBILITY FOR OFFENDERS SENTENCED TO LIFE
28 FOR MURDER OF THE SECOND DEGREE.

29 (A) PAROLE.--NOTWITHSTANDING SECTION 6137(A) (RELATING TO
30 PAROLE POWER), THE BOARD SHALL HAVE THE POWER TO PAROLE AN

1 OFFENDER WHO IS SERVING A SENTENCE OF LIFE IMPRISONMENT FOR A
2 CONVICTION OF MURDER OF THE SECOND DEGREE THAT WAS IMPOSED PRIOR
3 TO THE EFFECTIVE DATE OF THIS SUBSECTION IF:

4 (1) THE OFFENDER HAS SERVED AT LEAST 35 YEARS
5 INCARCERATION OF THE LIFE SENTENCE; OR

6 (2) THE OFFENDER IS 70 YEARS OF AGE OR OLDER AND HAS
7 SERVED AT LEAST 20 YEARS INCARCERATION OF THE LIFE SENTENCE.

8 (B) EXCLUSIONS.--SUBSECTION (A) (1) SHALL NOT APPLY TO AN
9 OFFENDER CONVICTED OF MURDER OF THE SECOND DEGREE WHO:

10 (1) WAS SENTENCED TO LIFE IMPRISONMENT WITHOUT PAROLE
11 UNDER 18 PA.C.S. § 1102.1 (RELATING TO SENTENCE OF PERSONS
12 UNDER THE AGE OF 18 FOR MURDER, MURDER OF AN UNBORN CHILD AND
13 MURDER OF A LAW ENFORCEMENT OFFICER);

14 (2) WAS UNDER 18 YEARS OF AGE AT THE TIME OF THE
15 COMMISSION OF THE OFFENSE AND WAS RESENTENCED TO LIFE
16 IMPRISONMENT WITHOUT PAROLE AFTER JUNE 24, 2012;

17 (3) KILLED, INTENDED TO KILL OR ATTEMPTED TO KILL A LAW
18 ENFORCEMENT OFFICER DURING THE COMMISSION OF THE OFFENSE; OR

19 (4) PARTICIPATED IN THE PERPETRATION OF RAPE OR DEVIATE
20 SEXUAL INTERCOURSE BY FORCE DURING THE COMMISSION OF THE
21 OFFENSE.

22 (C) BOARD CONSIDERATIONS.--IN ADDITION TO ANY OTHER
23 REQUIREMENT UNDER THIS CHAPTER, IN CONSIDERING WHETHER TO GRANT
24 PAROLE TO AN OFFENDER MADE ELIGIBLE UNDER SUBSECTION (A), THE
25 BOARD SHALL:

26 (1) GIVE PRIMARY CONSIDERATION TO THE PROTECTION OF THE
27 PUBLIC AND TO THE SAFETY OF THE VICTIM OR ANY OTHER PERSON.

28 (2) CONSIDER THE NATURE AND CIRCUMSTANCES OF THE
29 OFFENSE, INCLUDING:

30 (I) THE DEGREE OF THE OFFENDER'S CULPABILITY IN THE

1 VICTIM'S DEATH AND THE PERPETRATION OF THE UNDERLYING
2 FELONY.

3 (II) WHETHER THE OFFENDER CAUSED, INTENDED TO CAUSE
4 OR ATTEMPTED TO CAUSE THE VICTIM'S DEATH.

5 (III) ANY OTHER CIRCUMSTANCE THE BOARD DEEMS
6 RELEVANT IN DECIDING WHETHER TO GRANT OR DENY PAROLE.

7 (D) ADDITIONAL REQUIREMENTS.--

8 (1) NOTWITHSTANDING ANY OTHER PROVISION OF THIS CHAPTER,
9 A MAJORITY OF THE BOARD SHALL BE REQUIRED TO MAKE DECISIONS
10 REGARDING PAROLE UNDER THIS SECTION. ONLY BOARD MEMBERS SHALL
11 VOTE ON WHETHER TO GRANT PAROLE UNDER THIS SECTION. PRIOR TO
12 VOTING, EACH BOARD MEMBER SHALL REVIEW ANY VICTIM STATEMENT
13 AND TESTIMONY PROVIDED UNDER SECTION 6140 (RELATING TO VICTIM
14 STATEMENTS, TESTIMONY AND PARTICIPATION IN HEARING)).

15 (2) THE BOARD MAY NOT CONSIDER PAROLE IN ANY CASE WHERE
16 THE BOARD OR THE OFFICE OF VICTIM ADVOCATE FAILS TO COMPLY
17 WITH THE PROCEDURES SPECIFIED IN THIS SECTION OR SECTION
18 6140.

19 (E) LIMITATIONS.--

20 (1) THE PROVISIONS OF THIS SECTION SHALL NOT AFFECT THE
21 SENTENCE OR PAROLE ELIGIBILITY FOR ANY TERM OF IMPRISONMENT
22 IMPOSED FOR A SEPARATE OFFENSE.

23 (2) NOTHING UNDER THIS SECTION SHALL BE INTERPRETED AS
24 GRANTING A RIGHT TO BE PAROLED TO ANY OFFENDER.

25 (3) A DECISION BY THE BOARD RELATING TO AN OFFENDER WHO
26 IS ELIGIBLE FOR PAROLE UNDER SUBSECTION (A) OR SENTENCED
27 UNDER 18 PA.C.S. § 1102.1 MAY NOT BE CONSIDERED AN
28 ADJUDICATION UNDER 2 PA.C.S. CHS. 5 SUBCH. A (RELATING TO
29 PRACTICE AND PROCEDURE OF COMMONWEALTH AGENCIES) AND 7 SUBCH.
30 A (RELATING TO JUDICIAL REVIEW OF COMMONWEALTH AGENCY

1 ACTION).

2 SECTION 8. SECTION 6139(A) (3.1) AND (3.2) OF TITLE 61 ARE
3 AMENDED TO READ:

4 § 6139. PAROLE PROCEDURE.

5 (A) SPECIFIC REQUIREMENTS.--

6 * * *

7 (3.1) NOTWITHSTANDING PARAGRAPHS (2) AND (3), THE BOARD
8 SHALL NOT BE REQUIRED TO CONSIDER NOR TO DISPOSE OF AN
9 APPLICATION BY AN OFFENDER OR AN OFFENDER'S ATTORNEY IN THE
10 CASE OF AN OFFENDER WHO IS ELIGIBLE FOR PAROLE UNDER SECTION
11 6137.3(A) OR SENTENCED UNDER 18 PA.C.S. § 1102.1 (RELATING TO
12 SENTENCE OF PERSONS UNDER THE AGE OF 18 FOR MURDER, MURDER OF
13 AN UNBORN CHILD AND MURDER OF A LAW ENFORCEMENT OFFICER) OR
14 18 PA.C.S. § 1102.2 (RELATING TO SENTENCE FOR MURDER OF THE
15 SECOND DEGREE) IF A PAROLE DECISION HAS BEEN ISSUED BY THE
16 BOARD WITHIN FIVE YEARS OF THE DATE OF THE CURRENT
17 APPLICATION.

18 (3.2) NOTHING UNDER THIS SECTION SHALL BE INTERPRETED AS
19 GRANTING A RIGHT TO BE PAROLED TO ANY OFFENDER, AND A
20 DECISION BY THE BOARD AND ITS DESIGNEES RELATING TO AN
21 OFFENDER WHO IS ELIGIBLE FOR PAROLE UNDER SECTION 6137.3(A)
22 OR SENTENCED UNDER 18 PA.C.S. § 1102.1 MAY NOT BE CONSIDERED
23 AN ADJUDICATION UNDER 2 PA.C.S. CHS. 5 SUBCH. A (RELATING TO
24 PRACTICE AND PROCEDURE OF COMMONWEALTH AGENCIES) AND 7 SUBCH.
25 A (RELATING TO JUDICIAL REVIEW OF COMMONWEALTH AGENCY
26 ACTION).

27 * * *

28 SECTION 9. SECTION 6140 OF TITLE 61 IS AMENDED BY ADDING A
29 SUBSECTION TO READ:

30 § 6140. VICTIM STATEMENTS, TESTIMONY AND PARTICIPATION IN

1 HEARING.

2 * * *

3 (J) VICTIM NOTIFICATION FOR CASES UNDER SECTION 6137.3(A).--
4 THIS SUBSECTION SHALL APPLY ONLY TO HEARINGS REGARDING THE
5 PAROLE OF AN OFFENDER UNDER SECTION 6137.3(A) (1) (RELATING TO
6 PAROLE ELIGIBILITY FOR OFFENDERS SENTENCED TO LIFE FOR MURDER OF
7 THE SECOND DEGREE). THE FOLLOWING APPLY:

8 (1) THE BOARD SHALL ENSURE THAT VICTIMS AND FAMILY
9 MEMBERS HAVE A REASONABLE OPPORTUNITY TO BE HEARD AT ANY
10 HEARING AUTHORIZED BY THIS SECTION. THE BOARD SHALL GIVE
11 MEANINGFUL CONSIDERATION TO ANY TESTIMONY PRESENTED AT THE
12 HEARING.

13 (2) THE OFFICE OF VICTIM ADVOCATE SHALL PROVIDE NOTICE
14 TO ANY VICTIM OR NEXT OF KIN, INCLUDING TO VICTIMS WHO ARE
15 REGISTERED WITH THE DEPARTMENT OF CORRECTIONS, THE OFFICE OF
16 VICTIM ADVOCATE AND THE PENNSYLVANIA PAROLE BOARD AND THOSE
17 WHOSE WHEREABOUTS ARE OTHERWISE KNOWN.

18 (3) THE OFFICE OF VICTIM ADVOCATE SHALL MAKE ALL
19 REASONABLE EFFORTS TO EFFECTUATE NOTICE WITHIN 30 DAYS OF THE
20 DATE THAT A HEARING IS GRANTED AND AT LEAST 60 DAYS PRIOR TO
21 THE HEARING.

22 (4) THE BOARD AND OFFICE OF VICTIM ADVOCATE SHALL MAKE
23 EVERY REASONABLE EFFORT TO IDENTIFY, FIND AND NOTIFY VICTIMS
24 WHO HAVE NOT REGISTERED WITH THE OFFICE OF VICTIM ADVOCATE.

25 (5) THE BOARD AND THE OFFICE OF VICTIM ADVOCATE SHALL
26 PROVIDE EACH BOARD MEMBER WITH WRITTEN NOTICE CONTAINING ONE
27 OF THE FOLLOWING:

28 (I) THE DATE AND MANNER BY WHICH NOTICE REQUIRED
29 UNDER THIS SECTION WAS EFFECTUATED; OR

30 (II) A DETAILED DESCRIPTION OF ALL EFFORTS AND

1 METHODS EMPLOYED TO IDENTIFY, LOCATE AND NOTIFY THE
2 VICTIM OR NEXT OF KIN.

3 (6) TO EFFECTUATE THE REQUIREMENTS OF THIS SUBSECTION,
4 THE BOARD SHALL ISSUE GUIDELINES WITHIN 90 DAYS OF THE
5 EFFECTIVE DATE OF THIS PARAGRAPH.

6 SECTION 10. IT IS THE INTENT OF THIS ACT TO REMEDY THE
7 PENNSYLVANIA SUPREME COURT'S DECISION IN *COMMONWEALTH V. LEE*,
8 2026 WL 855614 (PA. MARCH 26, 2026).

9 SECTION 11. THE ADDITION OF 18 PA.C.S. § 1102.2 SHALL APPLY
10 TO:

11 (1) OFFENSES COMMITTED ON OR AFTER THE EFFECTIVE DATE OF
12 THIS PARAGRAPH.

13 (2) OFFENSES COMMITTED PRIOR TO THE EFFECTIVE DATE OF
14 THIS PARAGRAPH FOR WHICH JUDGMENT OF SENTENCE HAS NOT YET
15 BEEN IMPOSED.

16 SECTION 12. THIS ACT SHALL TAKE EFFECT AS FOLLOWS:

17 (1) THE FOLLOWING SHALL TAKE EFFECT IMMEDIATELY:

18 THE AMENDMENT OR ADDITION OF 18 PA.C.S. §§ 1102(B)
19 AND 1102.2.

20 THE AMENDMENT OF 42 PA.C.S. §§ 9714(G) AND 9715(A).

21 THE AMENDMENT OF THE DEFINITION OF "ELIGIBLE INMATE"
22 IN 61 PA.C.S. § 3903.

23 THE AMENDMENT OR ADDITION OF 61 PA.C.S. §§ 6137.3,
24 6139(A) (3.1) AND (3.2) AND 6140(J).

25 SECTIONS 10 AND 11 OF THIS ACT.

26 THIS SECTION.

27 (2) THE REMAINDER OF THIS ACT SHALL TAKE EFFECT IN ONE
28 YEAR.