THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1994 Session of 2009

INTRODUCED BY MATZIE, D. COSTA, BELFANTI, KORTZ, WAGNER AND SIPTROTH, SEPTEMBER 22, 2009

REFERRED TO COMMITTEE ON JUDICIARY, SEPTEMBER 22, 2009

AN ACT

Amending the act of August 6, 1941 (P.L.861, No.323), entitled, as amended, "An act to create a uniform and exclusive system 2 for the administration of parole in this Commonwealth; 3 providing state probation services; establishing the 4 'Pennsylvania Board of Probation and Parole'; conferring and 5 defining its jurisdiction, duties, powers and functions; 6 including the supervision of persons placed upon probation 7 and parole in certain designated cases; providing for the 8 method of appointment of its members; regulating the appointment, removal and discharge of its officers, clerks 9 10 and employes; dividing the Commonwealth into administrative 11 districts for purposes of probation and parole; fixing the 12 salaries of members of the board and of certain other 13 officers and employes thereof; making violations of certain 14 15 provisions of this act misdemeanors; providing penalties 16 therefor; and for other cognate purposes, and making an appropriation," providing for jurisdiction of parole board in 17 certain cases. 18 19 The General Assembly of the Commonwealth of Pennsylvania 20 hereby enacts as follows: 21 Section 1. The act of August 6, 1941 (P.L.861, No.323), 22 referred to as the Pennsylvania Board of Probation and Parole 23 Law, is amended by adding a section to read: 24 Section 21.2. (a) An individual who was less than eighteen 25 years of age when he committed a crime for which he was

sentenced to serve a minimum term of imprisonment of no less

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- 1 than ten years or who was sentenced to life imprisonment without
- 2 parole eligibility who has served ten years of the sentence is
- 3 <u>subject to the jurisdiction of the parole board.</u>
- 4 (b) In determining whether to release an individual on
- 5 parole under this section, the parole board shall consider the
- 6 <u>following factors:</u>
- 7 (1) The individual's age and level of maturity at the time
- 8 of the offense.
- 9 (2) The individual's degree of participation in the offense.
- 10 (3) The nature of the offense.
- 11 (4) The severity of the offense.
- 12 (5) The individual's prior juvenile or criminal history.
- 13 (6) The likelihood of the individual to commit further
- 14 offenses.
- 15 (7) Other information considered relevant by the parole
- 16 board.
- 17 Section 2. This act shall take effect in 60 days.