

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 123 Session of 2019

INTRODUCED BY SABATINA, FONTANA, BREWSTER, MARTIN, K. WARD, MENSCH, DINNIMAN, COSTA, KILLION, J. WARD, BROWNE, MUTH, FARNESE, BLAKE, PHILLIPS-HILL, YUDICHAK, HAYWOOD, REGAN, BOSCOLA AND KEARNEY, JANUARY 28, 2019

AS AMENDED ON SECOND CONSIDERATION, JUNE 17, 2019

AN ACT

1 Amending Title 61 (Prisons and Parole) of the Pennsylvania
2 Consolidated Statutes, in Pennsylvania Board of Probation and
3 Parole, further providing for parole procedure.

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

6 Section 1. Section 6139(a) of Title 61 of the Pennsylvania
7 Consolidated Statutes is amended by adding a paragraph to read:

8 § 6139. Parole procedure.

9 (a) Specific requirements.--

10 * * *

11 (3.3) Notwithstanding paragraphs (2) and (3), the board
12 shall not be required to consider nor to dispose of an
13 application by an inmate or an inmate's attorney in the case
14 of an inmate determined to be a sexually violent predator as <--
15 defined under 42 Pa.C.S. § §§ 9799.24 (RELATING TO <--
16 ASSESSMENTS) AND 9799.58 (relating to assessments) or
17 sentenced under any of the following:

1 (i) 18 U.S.C. § 2241 (relating to aggravated sexual
2 abuse).

3 (ii) 18 U.S.C. § 2242 (relating to sexual abuse).

4 (iii) 18 U.S.C. § 2244 (relating to abusive sexual
5 contact), where the victim is under 13 years of age.

6 (iv) 18 Pa.C.S. § 2901(a.1) (relating to
7 kidnapping).

8 (v) 18 Pa.C.S. § 3121 (relating to rape).

9 (vi) 18 Pa.C.S. § 3122.1(b) (relating to statutory
10 sexual assault).

11 (vii) 18 Pa.C.S. § 3123 (relating to involuntary
12 deviate sexual intercourse).

13 (viii) 18 Pa.C.S. § 3124.1 (relating to sexual
14 assault).

15 (ix) 18 Pa.C.S. § 3124.2(a.1) (relating to
16 institutional sexual assault).

17 (x) 18 Pa.C.S. § 3125 (relating to aggravated
18 indecent assault).

19 (xi) 18 Pa.C.S. § 3126(a)(7) (relating to indecent
20 assault), where the victim is under 13 years of age.

21 (xii) 18 Pa.C.S. § 4302(b) (relating to incest),
22 if a parole decision has been issued by the board within
23 three years of the date of the current application for
24 parole.

25 * * *

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