
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1538 Session of
2019

INTRODUCED BY WHITE, McNEILL, PICKETT, T. DAVIS, BERNSTINE,
IRVIN, PYLE, READSHAW, STRUZZI, KAUFER, MOUL AND LAWRENCE,
JUNE 3, 2019

REFERRED TO COMMITTEE ON JUDICIARY, JUNE 3, 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 paragraphs to read:

8 § 6139. Parole procedure.

9 (a) Specific requirements.--

10 * * *

11 (3.3) The following apply:

12 (i) Notwithstanding the provisions of paragraphs (2)
13 and (3), if a parole decision has been issued by the
14 board within three years of the date of the current
15 application, the board shall not be required to consider
16 nor dispose of an application by an inmate or an inmate's
17 attorney in the case of an inmate sentenced under any of
18 the following provisions of 18 Pa.C.S. (relating to

1 crimes and offenses):

2 Section 2901(a.1) (relating to kidnapping).

3 Section 3011(b) (relating to trafficking in
4 individuals).

5 Section 3012 (relating to involuntary servitude).

6 Section 3121 (relating to rape).

7 Section 3122.1(b) (relating to statutory sexual
8 assault).

9 Section 3123 (relating to involuntary deviate
10 sexual intercourse).

11 Section 3124.1 (relating to sexual assault).

12 Section 3124.2(a.1) (relating to institutional
13 sexual assault).

14 Section 3125 (relating to aggravated indecent
15 assault).

16 Section 3126(a) (7) (relating to indecent
17 assault).

18 Section 4302(b) (relating to incest).

19 (ii) Nothing under this paragraph shall be
20 interpreted as granting a right to be paroled to any
21 person, and a decision by the board and its designees
22 relating to a person sentenced to an offense as set forth
23 under this subsection may not be considered an
24 adjudication under 2 Pa.C.S. Chs. 5 Subch. A and 7 Subch.
25 A.

26 (3.4) The following apply:

27 (i) Notwithstanding the provisions of paragraphs (2)
28 and (3), if a parole decision has been issued by the
29 board within three years of the date of the current
30 application, the board shall not be required to consider

1 nor dispose of an application by an inmate or an inmate's
2 attorney in the case of an inmate designated as a
3 sexually violent predator under 42 Pa.C.S. Ch. 97 Subch.
4 H (relating to registration of sexual offenders) or I
5 (relating to continued registration of sexual offenders).

6 (ii) Nothing under this section shall be interpreted
7 as granting a right to be paroled to any person, and a
8 decision by the board and its designees relating to a
9 person designated as a sexually violent predator may not
10 be considered an adjudication under 2 Pa.C.S. Chs. 5
11 Subch. A and 7 Subch. A.

12 * * *

13 Section 2. The addition of 61 Pa.C.S. § 6139(a) (3.3) and
14 (3.4) shall apply to all of the following:

15 (1) Individuals convicted of an offense set forth in 61
16 Pa.C.S. § 6139(a) (3.3) before the effective date of this
17 section who remain under the jurisdiction of the Department
18 of Corrections.

19 (2) Individuals who commit an offense set forth in 61
20 Pa.C.S. § 6139(a) (3.3) on or after the effective date of this
21 section.

22 (3) Individuals, before or after the effective date of
23 this section, who:

24 (i) commit an offense subject to 42 Pa.C.S. Ch. 97
25 Subch. H or I;

26 (ii) are designated as sexually violent predators;
27 and

28 (iii) are under the jurisdiction of the Department
29 of Corrections.

30 Section 3. This act shall take effect immediately.