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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 2898 Session of  
2020

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INTRODUCED BY RABB, HILL-EVANS, HANBIDGE, GALLOWAY, HOWARD,  
KINSEY, GREEN AND SANCHEZ, SEPTEMBER 29, 2020

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REFERRED TO COMMITTEE ON JUDICIARY, SEPTEMBER 29, 2020

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AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the  
2 Pennsylvania Consolidated Statutes, in sentencing, further  
3 providing for contents of presentence report, for  
4 modification or revocation of order of probation and for  
5 modification or revocation of county intermediate punishment  
6 sentence.

7 The General Assembly of the Commonwealth of Pennsylvania  
8 hereby enacts as follows:

9 Section 1. Sections 9732, 9771(d) and 9773(b) of Title 42 of  
10 the Pennsylvania Consolidated Statutes are amended to read:

11 § 9732. Contents of presentence report.

12 The presentence report shall include a summary of the  
13 circumstances attending the commission of the crime, the history  
14 of delinquency or criminality, physical and mental condition,  
15 family situation and background including the extent to which  
16 the defendant provides financial, child care or other support  
17 for a minor or family member, economic status, education,  
18 occupation and personal habits of the defendant, any history of  
19 drug or alcohol abuse or addiction and any other matters that  
20 the person preparing the report deems relevant or that the court

1 directs be included.

2 § 9771. Modification or revocation of order of probation.

3 \* \* \*

4 (d) Hearing required.--There shall be no revocation or  
5 increase of conditions of sentence under this section except  
6 after a hearing at which the court shall consider the record of  
7 the sentencing proceeding together with evidence of the conduct  
8 of the defendant while on probation[.] and the extent to which  
9 the defendant provides financial, child care or other support  
10 for a minor or family member. Probation may be eliminated or the  
11 term decreased without a hearing.

12 § 9773. Modification or revocation of county intermediate  
13 punishment sentence.

14 \* \* \*

15 (b) Revocation.--The court may revoke a sentence of county  
16 intermediate punishment upon proof of a violation of specific  
17 conditions of the sentence. Upon revocation and subject to  
18 section 9763(d), the sentencing alternatives available to the  
19 court shall be the same as the alternatives available at the  
20 time of initial sentencing. Upon a revocation of county  
21 intermediate punishment for any reason specified by law, the  
22 attorney for the Commonwealth may file notice, at any time prior  
23 to resentencing, of the Commonwealth's intention to proceed  
24 under an applicable provision of law requiring a mandatory  
25 minimum sentence. Consideration shall be given to the time  
26 served in the county intermediate punishment program[.] and to  
27 the extent to which the defendant provides financial, child care  
28 or other support for a minor or family member.

29 \* \* \*

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