

**House Judiciary Committee Voting Meeting
Room G50 Irvis Office
Harrisburg, PA 17120
June 25, 2026
Call of the Chair**

PLEASE NOTE: PROVIDING THE UPDATED AMENDMENT TO SB1235, REVISING THE AGENDA ACCORDINGLY

Agenda

House Bill 1434 (A. BROWN) An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in minors, further providing for the offense of sale of tobacco products; and imposing penalties.

A03947 (BRIGGS)

House Bill 2273 (T. JONES) An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in forfeiture of assets, further providing for motion for return of property; and imposing duties on the Administrative Office of Pennsylvania Courts.

Senate Bill 45 (DUSH/COLLETT) An Act amending Titles 18 (Crimes and Offenses), 23 (Domestic Relations), 42 (Judiciary and Judicial Procedure), 44 (Law and Justice), 61 (Prisons and Parole) and 63 (Professions and Occupations (State Licensed)) of the Pennsylvania Consolidated Statutes, in human trafficking, further providing for definitions, providing for the offense of promoting prostitution, for the offense of living off of prostituted persons and for the offense of patronizing prostitution and further providing for grants; in public indecency, further providing for prostitution and related offenses; establishing the Prevention of Human Trafficking Restricted Account; in child protective services, further providing for definitions; in sentencing, further providing for sexual offenses and tier system; in DNA data and testing, further providing for definitions; in interstate compacts, further providing for supervision of persons paroled by other states; and, in powers and duties relating to the Bureau of Professional and Occupational Affairs, further providing for consideration of criminal convictions.

Senate Bill 111 (ARGALL) An Act amending Title 61 (Prisons and Parole) of the Pennsylvania Consolidated Statutes, in general administration relating to correctional institutions, providing for residency of corrections officers.

A03393 (BRIGGS)

Senate Bill 1235 (BAKER) An Act amending Title 61 (Prisons and Parole) of the Pennsylvania Consolidated Statutes, in Pennsylvania Board of Probation and Parole, further providing for Pennsylvania Parole Board.

A03958 (BRIGGS)

Senate Bill 1259 (CAPPELLETTI/BAKER) An Act amending Title 61 (Prisons and Parole) of the Pennsylvania Consolidated Statutes, in Pennsylvania Board of Probation and Parole, further providing for investigation of circumstances of offense and for parole procedure.

And any other business that comes before the Committee

Adjournment

Please advise Maya Fitterer, MFitterer@pahouse.net, with your attendance plans. Thank you!

Attachments:

- Sunshine Memo

- Judiciary Committee June 25 Agenda
- HB1434
- A03947 to HB1434
- HB1434 BA
- HB2273
- HB2273 BA
- SB45
- SB45 BA
- SB111
- A03393 to SB111
- SB111 BA
- SB1235
- A03958 to SB1235
- SB1235 BA
- SB1259
- SB1259 BA

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House of Representatives
COMMONWEALTH OF PENNSYLVANIA
HARRISBURG

COMMITTEES
JUDICIARY, CHAIRMAN

CAUCUSES

LIFE SCIENCE, CHAIR
BRAIN INJURY, CHAIR

PENNSYLVANIA STATE SYSTEM OF HIGHER
EDUCATION (PASSHE), BOARD OF GOVERNORS
PENNSYLVANIA COMMISSION ON CRIME &
DELINQUENCY (PCCD), COMMISSIONER

June 22, 2026

TO: House Judiciary Committee Members
FROM: Tim Briggs, Majority Chairman
RE: **Voting Meeting**

A handwritten signature in blue ink that reads "Tim Briggs".

The House Judiciary Committee will hold a **voting meeting** on **Thursday, June 25, 2026, at the call of the Chair in G50 Irvis Office Building**. The Committee is scheduled to consider the following:

House Bill 1434 (A. Brown) Amends Title 18 (Crimes and Offenses) in minors, further providing for the offense of sale of tobacco products; and imposing penalties.

House Bill 2273 (T. Jones) Amends Title 42 (Judiciary and Judicial Procedure), in forfeiture of assets, further providing for motion for return of property; and imposing duties on the Administrative Office of Pennsylvania Courts.

Senate Bill 45 (Dush/Collett) Amends Titles 18 (Crimes and Offenses), 23 (Domestic Relations), 42 (Judiciary and Judicial Procedure), 44 (Law and Justice), 61 (Prisons and Parole) and 63 (Professions and Occupations (State Licensed)) in human trafficking, further providing for definitions, providing for the offense of promoting prostitution, for the offense of living off of prostituted persons and for the offense of patronizing prostitution and further providing for grants; in public indecency, further providing for prostitution and related offenses; establishing the Prevention of Human Trafficking Restricted Account; in child protective services, further providing for definitions; in sentencing, further providing for sexual offenses and tier system; in DNA data and testing, further providing for definitions; in interstate compacts, further providing for supervision of persons paroled by other states; and, in powers and duties relating to the Bureau of Professional and Occupational Affairs, further providing for consideration of criminal convictions.

Senate Bill 111 (Argall) Amends Title 61 (Prisons and Parole) in general administration relating to correctional institutions, providing for residency of corrections officers.

Senate Bill 1235 (Baker) Amends Title 61 (Prisons and Parole) in Pennsylvania Board of Probation and Parole, further providing for Pennsylvania Parole Board.

Senate Bill 1259 (Cappelletti/Baker) Amends Title 61 (Prisons and Parole) in Pennsylvania Board of Probation and Parole, further providing for investigation of circumstances of offense and for parole procedure.

And any other business that comes before the committee.

Please advise Maya Fitterer, MFitterer@pahouse.net, with your attendance plans. Thank you.

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DELINQUENCY (PCCD), *COMMISSIONER*

House Judiciary Committee Voting Meeting
Majority Caucus Room
Room G50 Irvis Office Building
Harrisburg, PA 17120
June 25, 2026
Call of the Chair

Agenda

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And any other business that comes before the Committee

Adjournment

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1434 Session of
2025

INTRODUCED BY A. BROWN, HILL-EVANS, GIRAL, McNEILL, SANCHEZ,
CEPEDA-FREYTIZ, PROBST, FRIEL, FLEMING AND HANBIDGE,
MAY 8, 2025

REFERRED TO COMMITTEE ON JUDICIARY, MAY 8, 2025

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, in minors, further providing for the
3 offense of sale of tobacco products; and imposing penalties.

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

6 Section 1. Section 6305(b)(2) introductory paragraph of
7 Title 18 of the Pennsylvania Consolidated Statutes is amended,
8 subsection (b) is amended by adding a paragraph and subsection
9 (h) is amended by adding an introductory paragraph to read:

10 § 6305. Sale of tobacco products.

11 * * *

12 (b) Penalty.--

13 * * *

14 (2) [A] Except as provided in paragraph (4), a retailer
15 that violates subsection (a) shall be sentenced as follows:

16 * * *

17 (4) A retailer that violates subsection (a) by selling
18 an electronic nicotine delivery system shall be sentenced as

1 follows:

2 (i) for a first or second offense, to pay a fine of
3 \$5,000; or

4 (ii) for a third offense, to pay a fine of \$5,000
5 and permanent revocation of the cigarette license.

6 * * *

7 (h) Administrative action.--Except as provided in subsection

8 (b) (4):

9 * * *

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

LEGISLATIVE REFERENCE BUREAU

AMENDMENTS TO HOUSE BILL NO. 1434

Sponsor: **Briggs**

Printer's No. 1670

1 Amend Bill, page 2, line 5, by striking out "cigarette" and
2 inserting
3 tobacco products tax

HOUSE OF REPRESENTATIVES

DEMOCRATIC COMMITTEE BILL ANALYSIS

Bill No:	HB1434 PN1670	Prepared By:	David Vitale, Esq. (717) 705-7011,6791
Committee:	Judiciary	Executive Director:	David Vitale, Esq.
Sponsor:	Brown, Amen		
Date:	5/9/2025		

A. Brief Concept

Increases the penalty to \$5,000 per offense for selling vape to minors and revoke the license of retailer that repeatedly sell vape products to minors.

C. Analysis of the Bill

Amends section 6305(b)(2) of title 18 to increases penalties for retailers who sell electronic nicotine delivery systems to minors.

- First or second offense: Fine of \$5,000.
- Third offense: Fine of \$5,000 and permanent revocation of the cigarette license.

Effective Date:

60 Days.

G. Relevant Existing Laws

Title 18

§ 6305. Sale of tobacco products.

(a) Offense defined.--Except as set forth in subsection (f), a person is guilty of a summary offense if the person:

1. sells a tobacco product to any minor;
2. furnishes, by purchase, gift or other means, a tobacco product to a minor;
3. (Deleted by amendment).
4. locates or places a vending machine containing a tobacco product in a location accessible to minors;
5. displays or offers a cigarette for sale out of a pack of cigarettes; or
6. displays or offers for sale tobacco products in any manner which enables an individual other than the retailer or an employee of the retailer to physically handle tobacco products prior to purchase unless the tobacco products are located within the line of sight or under the control of a cashier or other employee during business hours, except that this paragraph shall not apply to retail stores which derive 75% or more of sales revenues from tobacco products.

(a.1) Purchase.--A minor is guilty of a summary offense if the minor:

(1) purchases or attempts to purchase a tobacco product;

or

(2) knowingly falsely represents himself to be at least 21 years of age or if the minor is a member of the active or reserve components of any branch or unit of the armed forces of the United States or a veteran who received an honorable discharge from any branch or unit of the

active or reserve components of the armed forces of the United States, at least 18 years of age to a person for the purpose of purchasing or receiving a tobacco product.

(b) Penalty.--

(1) Except as set forth in paragraph (2), a person that violates subsection (a) shall be sentenced as follows:

- (i) for a first offense, to pay a fine of not less than \$100 nor more than \$250;
- (ii) for a second offense, to pay a fine of not less than \$250 nor more than \$500; or
- (iii) for a third or subsequent offense, to pay a fine of not less than \$500 nor more than \$1,000.

(2) A retailer that violates subsection (a) shall be sentenced as follows:

- (i) for a first offense, to pay a fine of not less than \$100 nor more than \$500;
- (ii) for a second offense, to pay a fine of not less than \$500 nor more than \$1,000;
- (iii) for a third offense, to pay a fine of not less than \$1,000 nor more than \$3,000; or
- (iv) for a fourth or subsequent offense, to pay a fine of not less than \$3,000 nor more than \$5,000.

(3) A minor who violates subsection (a.1) shall be sentenced to any or all of the following:

- (i) not more than 75 hours of community service;
- (ii) complete a tobacco use prevention and cessation program approved by the Department of Health; or
- (iii) a fine not to exceed \$200.

E. Prior Session (Previous Bill Numbers & House/Senate Votes)

None.

This document is a summary of proposed legislation and is prepared only as general information for use by the Democratic Members and Staff of the Pennsylvania House of Representatives. The document does not represent the legislative intent of the Pennsylvania House of Representatives and may not be utilized as such.

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2273 Session of
2026

INTRODUCED BY T. JONES, SIEGEL, PICKETT, KAUFFMAN, BERNSTINE,
KENYATTA, ROWE AND ZIMMERMAN, MARCH 9, 2026

REFERRED TO COMMITTEE ON JUDICIARY, MARCH 10, 2026

AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the
2 Pennsylvania Consolidated Statutes, in forfeiture of assets,
3 further providing for motion for return of property; and
4 imposing duties on the Administrative Office of Pennsylvania
5 Courts.

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

8 Section 1. Section 5806 of Title 42 of the Pennsylvania
9 Consolidated Statutes is amended by adding subsections to read:
10 § 5806. Motion for return of property.

11 * * *

12 (c) Documents to be provided.--Within 14 days following the
13 seizure of a person's personal property by a law enforcement
14 agency, the law enforcement agency shall provide the following
15 documents to the person aggrieved by the seizure:

16 (1) A copy of this section.

17 (2) A copy of a sample motion for return of property.

18 The sample motion:

19 (i) Shall be developed by the Administrative Office

1 of Pennsylvania Courts.

2 (ii) Shall be posted on the publicly accessible
3 Internet website of the Administrative Office of
4 Pennsylvania Courts.

5 (iii) Shall not be intended to be the exclusive form
6 of motion accepted by a court of common pleas.

7 (d) Definitions.--As used in this section, the following
8 words and phrases shall have the meanings given to them in this
9 subsection unless the context clearly indicates otherwise:

10 "Law enforcement agency." The Pennsylvania State Police or a
11 local law enforcement agency.

12 "Local law enforcement agency." A police department of a
13 city, borough, incorporated town or township or campus police.

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

HOUSE OF REPRESENTATIVES

DEMOCRATIC COMMITTEE BILL ANALYSIS

Bill No: HB2273 PN2973
Committee: Judiciary
Sponsor: Jones, Thomas
Date: 3/10/2026

Prepared By: David Vitale, Esq.
(717) 705-7011,6791
Executive Director: David Vitale, Esq.

A. Brief Concept

Requires law enforcement agencies to provide an individual with clear, written notice of their rights when property is being seized.

C. Analysis of the Bill

Amends Title 42, §5806 (Motion for return of property) by adding subsections to require law enforcement to provide documents in property seizure cases.

Documents to be provided: Within 14 days following the seizure of a person's personal property by a law enforcement agency, the law enforcement agency shall provide the person aggrieved by the seizure with a copy of this section and a copy of a sample motion for return of property. The sample motion shall be developed by the AOPC and posted their publicly website. The sample motion is not intended to be the exclusive form of motion accepted by a court of common pleas.

Definitions:

"Law enforcement agency." The Pennsylvania State Police or a local law enforcement agency.
"Local law enforcement agency." A police department of a city, borough, incorporated town or township or campus police.

Effective Date:

60 Days.

G. Relevant Existing Laws

There is no notice of the law requirement in the current law.

E. Prior Session (Previous Bill Numbers & House/Senate Votes)

None.

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THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 45 Session of
2026

INTRODUCED BY DUSH, COLLETT, PHILLIPS-HILL, MASTRIANO,
PENNYCUICK, STEFANO, HUTCHINSON, J. WARD, VOGEL, FLYNN AND
BROOKS, MARCH 18, 2026

AS AMENDED ON THIRD CONSIDERATION, JUNE 8, 2026

AN ACT

1 Amending Titles 18 (Crimes and Offenses), 23 (Domestic
2 Relations), 42 (Judiciary and Judicial Procedure), 44 (Law
3 and Justice), 61 (Prisons and Parole) and 63 (Professions and
4 Occupations (State Licensed)) of the Pennsylvania
5 Consolidated Statutes, in human trafficking, further
6 providing for definitions, providing for the offense of
7 promoting prostitution, for the offense of living off of
8 prostituted persons and for the offense of patronizing
9 prostitution and further providing for grants; in public
10 indecency, further providing for prostitution and related
11 offenses; establishing the Prevention of Human Trafficking
12 Restricted Account; in child protective services, further
13 providing for definitions; in sentencing, further providing
14 for sexual offenses and tier system; in DNA data and testing,
15 further providing for definitions; in interstate compacts,
16 further providing for supervision of persons paroled by other
17 states; and, in powers and duties relating to the Bureau of
18 Professional and Occupational Affairs, further providing for
19 consideration of criminal convictions.

20 The General Assembly of the Commonwealth of Pennsylvania
21 hereby enacts as follows:

22 Section 1. Section 3001 of Title 18 of the Pennsylvania
23 Consolidated Statutes is amended by adding ~~a definition~~ <--

24 DEFINITIONS to read: <--

25 § 3001. Definitions.

1 The following words and phrases when used in this chapter
2 shall have the meanings given to them in this section unless the
3 context clearly indicates otherwise:

4 * * *

5 "Prostituted person" or "person in prostitution." An
6 individual who engages in prostitution.

7 "PROSTITUTION." ENGAGING IN SEXUAL ACTIVITY FOR MONEY OR <--
8 ANYTHING OF VALUE.

9 * * *

10 "SEXUAL ACTIVITY." AS DEFINED IN SECTION 5902(F) (RELATING
11 TO PROSTITUTION).

12 * * *

13 Section 2. Title 18 is amended by adding sections to read:
14 § 3027. Promoting prostitution.

15 (a) Offense defined.--A person who knowingly promotes
16 prostitution of another commits a misdemeanor or felony as
17 provided under subsection (c). The following acts shall
18 constitute promoting prostitution:

19 (1) owning, controlling, managing, supervising or
20 otherwise keeping, alone or in association with others, a <--
21 house of prostitution or a prostitution business;

22 (2) procuring a person in prostitution; (RESERVED); <--

23 (3) encouraging, inducing or otherwise intentionally
24 causing another to become or remain a person in prostitution;

25 (4) except for a prostituted person or the prostituted
26 person's minor child or other legal dependent incapable of
27 self-support, knowingly being supported in whole or
28 substantial part by the proceeds of prostitution;

29 (5) soliciting a person to patronize a person in
30 prostitution;

1 (6) procuring a person in prostitution for a patron;
2 (7) transporting an individual into or within this
3 Commonwealth with intent to promote the engaging in
4 prostitution by that individual, or procuring or paying for
5 transportation with that intent;

6 (8) leasing or otherwise permitting a place controlled
7 by the actor, alone or in association with others, to be
8 regularly used for prostitution or the promotion of
9 prostitution, or failure to make reasonable effort to abate
10 the use by ejecting the tenant, notifying law enforcement
11 authorities or other legally available means; or

12 (9) soliciting, receiving or agreeing to receive any
13 benefit for doing or agreeing to do anything forbidden by
14 this subsection.

15 (b) Promoting prostitution of minor.--A person is guilty of
16 an offense if the person knowingly promotes prostitution of a
17 minor. The following acts shall constitute promoting
18 prostitution of a minor:

19 (1) owning, controlling, managing, supervising or
20 otherwise keeping, alone or in association with others, a
21 house of prostitution or a prostitution business in which a
22 victim is a minor;

23 (2) procuring a person in prostitution who is a minor;

24 (3) encouraging, inducing or otherwise intentionally
25 causing a minor to become or remain a person in prostitution;

26 (4) soliciting a minor to patronize a person in
27 prostitution;

28 (5) procuring a person in prostitution who is a minor
29 for a patron;

30 (6) transporting a minor into or within this

1 Commonwealth with intent to promote the engaging in
2 prostitution by that minor, or procuring or paying for
3 transportation with that intent;

4 (7) leasing or otherwise permitting a place controlled
5 by the actor, alone or in association with others, to be
6 regularly used for prostitution of a minor or the promotion
7 of prostitution of a minor, or failure to make reasonable
8 effort to abate the use by ejecting the tenant, notifying law
9 enforcement authorities or other legally available means; or

10 (8) soliciting, receiving or agreeing to receive any
11 benefit for doing or agreeing to do anything forbidden by
12 this subsection.

13 (c) Grading.--

14 (1) The following apply to offenses committed under
15 subsection (a):

16 (i) An offense constitutes a felony of the third
17 degree if:

18 (A) the offense falls under subsection (a) (1),
19 ~~(2)~~, (3) or (4); <--

20 (B) the actor compels another to engage in or
21 promote prostitution;

22 (C) the actor promotes prostitution of the
23 person's spouse, child, ward or any person for whose
24 care, protection or support the person is
25 responsible; or

26 (D) the actor commits a third or subsequent
27 offense under subsection (a) (5), (6), (7), (8) or
28 (9).

29 (ii) An offense constitutes a misdemeanor of the
30 second degree if the offense is a first offense under

1 subsection (a) (5), (6), (7), (8) or (9).

2 (iii) An offense constitutes a misdemeanor of the
3 first degree if the offense is a second offense under
4 subsection (a) (5), (6), (7), (8) or (9).

5 (2) An offense committed under subsection (b)
6 constitutes a felony of the first degree.

7 (3) If an offense under subsection (a) or (b) is not
8 provided for under paragraph (1) or (2), the offense shall be
9 a misdemeanor of the second degree.

10 § 3028. Patronizing prostitution.

11 (a) Offense defined.--A person commits the offense of
12 patronizing prostitution if that person hires a person in
13 prostitution or any other person to engage in sexual activity
14 with him or her.

15 (b) Grading.--An offense under subsection (a) constitutes a:

16 (1) Misdemeanor of the third degree when the offense is
17 a first offense.

18 (2) Misdemeanor of the first degree when the offense is
19 a second offense.

20 (3) Felony of the third degree when the offense is a
21 third or subsequent offense.

22 (c) Fines.--A person whose violation of this section results
23 in a judicial disposition other than acquittal or dismissal
24 shall also pay a fine in one of the following amounts to the
25 court, to be distributed in accordance with subsection (d):

26 (1) Except as otherwise provided in paragraph (2):

27 (i) Not less than \$2,500 and not more than the
28 maximum amount applicable under section 1101 (relating to
29 fines).

30 (ii) A person convicted of a second offense shall

1 pay a fine of not less than \$5,000 and not more than
2 \$25,000.

3 (iii) A person convicted of a third or subsequent
4 offense shall pay a fine of not less than \$10,000 and not
5 more than \$50,000.

6 (2) Not less than \$10,000 and not more than \$50,000 if
7 the victim of sexual servitude was a minor at the time of the
8 offense.

9 (d) Distribution of fines.--For the purposes of funding
10 grant programs to provide services to victims, from fines
11 collected under subsection (c):

12 (1) Fifty percent shall be deposited into the Safe
13 Harbor for Sexually Exploited Children Fund established under
14 section 3064 (relating to Safe Harbor for Sexually Exploited
15 Children Fund).

16 (2) Fifty percent shall be deposited into the Prevention
17 of Human Trafficking Restricted Account that is established
18 within the General Fund.

19 ~~(c) Definition. As used in this section, the term "sexual~~ <--
20 ~~activity" shall mean the same as defined under section 5902(f)~~
21 ~~(relating to prostitution).~~

22 Section 3. Sections 3031 and 5902 of Title 18 are amended to
23 read:

24 § 3031. Grants.

25 (a) Awarding of grants.--Subject to the availability of
26 [funds] money, the commission shall make grants to State
27 agencies, units of local government and nongovernmental
28 organizations to:

29 (1) Develop, expand or strengthen programs for victims
30 of human trafficking. Such programs may include:

- 1 (i) Health services, including mental health
- 2 services.
- 3 (ii) Temporary and permanent housing placement.
- 4 (iii) Legal and immigration services.
- 5 (iv) Employment placement, education and training.

6 (2) Ensure prevention of human trafficking, including
7 increasing public awareness.

8 (3) Ensure protection of victims of human trafficking,
9 including training of first responders.

10 (b) Annual report.--The commission shall compile and
11 annually post a report on the commission's publicly accessible
12 Internet website. Contents of the report shall include the
13 amount of money that was spent by the commission on grants under
14 this section and to which organizations the grants were awarded.
15 § 5902. Prostitution [~~and related offenses~~].

16 (a) Prostitution.--[A person] An adult is guilty of
17 prostitution if he or she:

18 (1) [~~is an inmate of a house of prostitution or~~
19 ~~otherwise~~] engages in sexual activity as a business~~—~~ <--
20 ~~exchanges sexual activity for money or something of value;~~ or

21 (2) loiters in or within view of any public place for
22 the purpose of being hired to engage in sexual activity.

23 (a.1) Grading of offenses under subsection (a).--An offense
24 under subsection (a) constitutes a[:

25 (1) Misdemeanor] misdemeanor of the third degree [~~when~~
26 ~~the offense is a first or second offense~~].

27 [(2) Misdemeanor of the second degree when the offense
28 is a third offense.

29 (3) Misdemeanor of the first degree when the offense is
30 a fourth or subsequent offense.

1 (4) Felony of the third degree if the person who
2 committed the offense knew that he or she was human
3 immunodeficiency virus (HIV) positive or manifesting acquired
4 immune deficiency syndrome (AIDS).

5 (b) Promoting prostitution.--A person who knowingly promotes
6 prostitution of another commits a misdemeanor or felony as
7 provided in subsection (c) of this section. The following acts
8 shall, without limitation of the foregoing, constitute promoting
9 prostitution:

10 (1) owning, controlling, managing, supervising or
11 otherwise keeping, alone or in association with others, a
12 house of prostitution or a prostitution business;

13 (2) procuring an inmate for a house of prostitution or a
14 place in a house of prostitution for one who would be an
15 inmate;

16 (3) encouraging, inducing, or otherwise intentionally
17 causing another to become or remain a prostitute;

18 (4) soliciting a person to patronize a prostitute;

19 (5) procuring a prostitute for a patron;

20 (6) transporting a person into or within this
21 Commonwealth with intent to promote the engaging in
22 prostitution by that person, or procuring or paying for
23 transportation with that intent;

24 (7) leasing or otherwise permitting a place controlled
25 by the actor, alone or in association with others, to be
26 regularly used for prostitution or the promotion of
27 prostitution, or failure to make reasonable effort to abate
28 such use by ejecting the tenant, notifying law enforcement
29 authorities, or other legally available means; or

30 (8) soliciting, receiving, or agreeing to receive any

1 benefit for doing or agreeing to do anything forbidden by
2 this subsection.

3 (b.1) Promoting prostitution of minor.--A person who
4 knowingly promotes prostitution of a minor commits a felony of
5 the third degree. The following acts shall, without limitation
6 of the foregoing, constitute promoting prostitution of a minor:

7 (1) owning, controlling, managing, supervising or
8 otherwise keeping, alone or in association with others, a
9 house of prostitution or a prostitution business in which a
10 victim is a minor;

11 (2) procuring an inmate who is a minor for a house of
12 prostitution or a place in a house of prostitution where a
13 minor would be an inmate;

14 (3) encouraging, inducing or otherwise intentionally
15 causing a minor to become or remain a prostitute;

16 (4) soliciting a minor to patronize a prostitute;

17 (5) procuring a prostitute who is a minor for a patron;

18 (6) transporting a minor into or within this
19 Commonwealth with intent to promote the engaging in
20 prostitution by that minor, or procuring or paying for
21 transportation with that intent;

22 (7) leasing or otherwise permitting a place controlled
23 by the actor, alone or in association with others, to be
24 regularly used for prostitution of a minor or the promotion
25 of prostitution of a minor, or failure to make reasonable
26 effort to abate such use by ejecting the tenant, notifying
27 law enforcement authorities or other legally available means;
28 or

29 (8) soliciting, receiving or agreeing to receive any
30 benefit for doing or agreeing to do anything forbidden by

1 this subsection.

2 (c) Grading of offenses under subsection (b).--

3 (1) An offense under subsection (b) constitutes a felony
4 of the third degree if:

5 (i) the offense falls within paragraphs (b) (1), (b)

6 (2) or (b) (3);

7 (ii) the actor compels another to engage in or
8 promote prostitution;

9 (iv) the actor promotes prostitution of his spouse,
10 child, ward or any person for whose care, protection or
11 support he is responsible; or

12 (v) the person knowingly promoted prostitution of
13 another who was HIV positive or infected with the AIDS
14 virus.

15 (2) Otherwise the offense is a misdemeanor of the second
16 degree.

17 (d) Living off prostitutes.--A person, other than the
18 prostitute or the prostitute's minor child or other legal
19 dependent incapable of self-support, who is knowingly supported
20 in whole or substantial part by the proceeds of prostitution is
21 promoting prostitution in violation of subsection (b) of this
22 section.

23 (e) Patronizing prostitutes.--A person commits the offense
24 of patronizing prostitutes if that person hires a prostitute or
25 any other person to engage in sexual activity with him or her or
26 if that person enters or remains in a house of prostitution for
27 the purpose of engaging in sexual activity.

28 (e.1) Grading of offenses under subsection (e).--An offense
29 under subsection (e) constitutes a:

30 (1) Misdemeanor of the third degree when the offense is

1 a first or second offense.

2 (2) Misdemeanor of the second degree when the offense is
3 a third offense.

4 (3) Misdemeanor of the first degree when the offense is
5 a fourth or subsequent offense.

6 (4) Felony of the third degree if the person who
7 committed the offense knew that he or she was human
8 immunodeficiency virus (HIV) positive or manifesting acquired
9 immune deficiency syndrome (AIDS).

10 (e.2) Publication of sentencing order.--A court imposing a
11 sentence for a second or subsequent offense committed under
12 subsection (e) shall publish the sentencing order in a newspaper
13 of general circulation in the judicial district in which the
14 court sits, and the court costs imposed on the person sentenced
15 shall include the cost of publishing the sentencing order.]

16 (f) Definitions.--As used in this section the following
17 words and phrases shall have the meanings given to them in this
18 subsection:

19 ["House of prostitution." Any place where prostitution or
20 promotion of prostitution is regularly carried on by one person
21 under the control, management or supervision of another.

22 "Inmate." A person who engages in prostitution in or through
23 the agency of a house of prostitution.]

24 "Minor." An individual under 18 years of age.

25 "Public place." Any place to which the public or any
26 substantial group thereof has access.

27 "Sexual activity." Includes sexual intercourse and deviate
28 sexual intercourse, as those terms are defined in section 3101
29 (relating to definitions), and any touching on the sexual or
30 other intimate parts of an individual for the purpose of

1 gratifying sexual desire of either person.

2 Section 4. The definition of "sexual abuse or exploitation"
3 in section 6303(a) of Title 23 is amended to read:

4 § 6303. Definitions.

5 (a) General rule.--The following words and phrases when used
6 in this chapter shall have the meanings given to them in this
7 section unless the context clearly indicates otherwise:

8 * * *

9 "Sexual abuse or exploitation." Any of the following:

10 (1) The employment, use, persuasion, inducement,
11 enticement or coercion of a child to engage in or assist
12 another individual to engage in sexually explicit conduct,
13 which includes, but is not limited to, the following:

14 (i) Looking at the sexual or other intimate parts of
15 a child or another individual for the purpose of arousing
16 or gratifying sexual desire in any individual.

17 (ii) Participating in sexually explicit conversation
18 either in person, by telephone, by computer or by a
19 computer-aided device for the purpose of sexual
20 stimulation or gratification of any individual.

21 (iii) Actual or simulated sexual activity or nudity
22 for the purpose of sexual stimulation or gratification of
23 any individual.

24 (iv) Actual or simulated sexual activity for the
25 purpose of producing visual depiction, including
26 photographing, videotaping, computer depicting or
27 filming.

28 This paragraph does not include consensual activities between
29 a child who is 14 years of age or older and another person
30 who is 14 years of age or older and whose age is within four

1 years of the child's age.

2 (2) Any of the following offenses committed against a
3 child:

4 (i) Rape as defined in 18 Pa.C.S. § 3121 (relating
5 to rape).

6 (ii) Statutory sexual assault as defined in 18
7 Pa.C.S. § 3122.1 (relating to statutory sexual assault).

8 (iii) Involuntary deviate sexual intercourse as
9 defined in 18 Pa.C.S. § 3123 (relating to involuntary
10 deviate sexual intercourse).

11 (iv) Sexual assault as defined in 18 Pa.C.S. §
12 3124.1 (relating to sexual assault).

13 (v) Institutional sexual assault as defined in 18
14 Pa.C.S. § 3124.2 (relating to institutional sexual
15 assault).

16 (vi) Aggravated indecent assault as defined in 18
17 Pa.C.S. § 3125 (relating to aggravated indecent assault).

18 (vii) Indecent assault as defined in 18 Pa.C.S. §
19 3126 (relating to indecent assault).

20 (viii) Indecent exposure as defined in 18 Pa.C.S. §
21 3127 (relating to indecent exposure).

22 (ix) Incest as defined in 18 Pa.C.S. § 4302
23 (relating to incest).

24 (x) [Prostitution as defined in 18 Pa.C.S. § 5902
25 (relating to prostitution and related offenses)]

26 Promoting prostitution as defined in 18 Pa.C.S. § 3027
27 (relating to promoting prostitution).

28 (xi) Sexual abuse as defined in 18 Pa.C.S. § 6312
29 (relating to sexual abuse of children).

30 (xii) Unlawful contact with a minor as defined in 18

1 Pa.C.S. § 6318 (relating to unlawful contact with minor).
2 (xiii) Sexual exploitation as defined in 18 Pa.C.S.
3 § 6320 (relating to sexual exploitation of children).

4 * * *

5 Section 5. Section 9799.14(c)(2) of Title 42 is amended to
6 read:

7 § 9799.14. Sexual offenses and tier system.

8 * * *

9 (c) Tier II sexual offenses.--The following offenses, or an
10 attempt, conspiracy or solicitation to commit any of the
11 following offenses, shall be classified as Tier II sexual
12 offenses:

13 * * *

14 (2) 18 Pa.C.S. § [5902(b.1) (relating to prostitution
15 and related offenses)] 3027(b) (relating to promoting
16 prostitution).

17 * * *

18 Section 6. The definition of "felony sex offense" in section
19 2303 of Title 44 is amended to read:

20 § 2303. Definitions.

21 The following words and phrases when used in this chapter
22 shall have the meanings given to them in this section unless the
23 context clearly indicates otherwise:

24 * * *

25 "Felony sex offense." A felony offense or an attempt,
26 conspiracy or solicitation to commit a felony offense under any
27 of the following:

28 18 Pa.C.S. Ch. 31 (relating to sexual offenses).

29 18 Pa.C.S. § 4302 (relating to incest).

30 18 Pa.C.S. § [5902(c)(1)(iv) (relating to prostitution

1 and related offenses)] 3027 (relating to promoting
2 prostitution).

3 18 Pa.C.S. § 5903(a) (relating to obscene and other
4 sexual materials and performances) where the offense
5 constitutes a felony.

6 Any offense graded as a felony requiring registration
7 under 42 Pa.C.S. Ch. 97 Subch. H (relating to registration of
8 sexual offenders).

9 * * *

10 Section 7. The definition of "sexual offense" in section
11 7122(e) of Title 61 is amended to read:

12 § 7122. Supervision of persons paroled by other states.

13 * * *

14 (e) Definitions.--As used in this section, the following
15 words and phrases shall have the meaning given to them in this
16 subsection unless the context clearly indicates otherwise:

17 * * *

18 "Sexual offense."

19 (1) Any of the following offenses or an equivalent
20 offense that is classified as a felony and involves a victim
21 who is a minor:

22 18 Pa.C.S. § 2901 (relating to kidnapping).

23 18 Pa.C.S. § [5902(a) (relating to prostitution and
24 related offenses)] 3027 (relating to promoting
25 prostitution).

26 18 Pa.C.S. § 5903(a) (3), (4), (5) or (6) (relating to
27 obscene and other sexual materials and performances).

28 (2) Any of the following offenses or an equivalent
29 offense that is classified as a felony and involves a victim
30 who is younger than 13 years of age:

1 18 Pa.C.S. § 3126 (relating to indecent assault).

2 (3) Any of the following offenses or an equivalent
3 offense, regardless of the victim's age:

4 18 Pa.C.S. § 3121 (relating to rape).

5 18 Pa.C.S. § 3123 (relating to involuntary deviate
6 sexual intercourse).

7 18 Pa.C.S. § 3125 (relating to aggravated indecent
8 assault).

9 * * *

10 Section 8. The definition of "sexual offense" in section
11 3113(i) of Title 63 is amended to read:

12 § 3113. Consideration of criminal convictions.

13 * * *

14 (i) Definitions.--As used in this section, the following
15 words and phrases shall have the meanings given to them in this
16 subsection unless the context clearly indicates otherwise:

17 * * *

18 "Sexual offense." An act, conspiracy or solicitation to
19 commit any of the following offenses or an equivalent crime in
20 another jurisdiction:

21 (1) 18 Pa.C.S. § 2910 (relating to luring a child into a
22 motor vehicle or structure).

23 (2) Any of the offenses enumerated in 18 Pa.C.S. Ch. 30
24 (relating to human trafficking) if the offense involved
25 sexual servitude or an offense under 18 Pa.C.S. § 3027
26 (relating to promoting prostitution).

27 (3) Any of the offenses enumerated in 18 Pa.C.S. Ch. 31
28 (relating to sexual offenses).

29 (4) 18 Pa.C.S. § 4302 (relating to incest).

30 (5) 18 Pa.C.S. § 4304(a)(1) (relating to endangering

1 welfare of children) if the offense involved sexual contact
2 with the victim.

3 (6) 18 Pa.C.S. § 5901 (relating to open lewdness) if the
4 offense involved a minor under 18 years of age.

5 [(7) 18 Pa.C.S. § 5902(b) or (b.1) (relating to
6 prostitution and related offenses).]

7 (8) 18 Pa.C.S. § 5903 (relating to obscene and other
8 sexual materials and performances) if the offense involved a
9 minor under 18 years of age.

10 (9) 18 Pa.C.S. § 6301(a)(1)(i) (relating to corruption
11 of minors) if the offense involved sexual contact with the
12 victim.

13 (10) 18 Pa.C.S. § 6301(a)(1)(ii).

14 (11) 18 Pa.C.S. § 6312 (relating to sexual abuse of
15 children).

16 (12) 18 Pa.C.S. § 6318 (relating to unlawful contact
17 with minor).

18 (13) 18 Pa.C.S. § 6320 (relating to sexual exploitation
19 of children).

20 (14) 18 Pa.C.S. § 7507.1 (relating to invasion of
21 privacy).

22 Section 9. This act shall take effect in 60 days.

HOUSE OF REPRESENTATIVES

DEMOCRATIC COMMITTEE BILL ANALYSIS

Bill No:	SB0045 PN1791	Prepared By:	Michelle Batt, Esq. (717) 705-7011
Committee:	Judiciary	Executive Director:	David Vitale, Esq.
Sponsor:	Dush and Collett		
Date:	6/22/2026		

A. Brief Concept

Repeals and moves "promoting prostitution", "patronizing prostitution", "promoting prostitution of a minor" and "living off prostitutes" provisions currently located in Chapter 59 ('Public Indecency') of the Crimes Code into Chapter 30 ('Human Trafficking') by adding § 3027 (promoting prostitution) and § 3028 (patronizing prostitution) to the Chapter, and establishes a Prevention of Human Trafficking Account within the General Fund to create a dedicated, ongoing funding stream for anti-trafficking programs.

C. Analysis of the Bill

This bill repeals the "promoting prostitution", "patronizing prostitution", "promoting prostitution of a minor" and "living off prostitutes" provisions located in 18 Pa.C.S. §5902(b), (b.1), (d) and (e) and reorganizes them into Title 18 Chapter 30, 'Human Trafficking' by adding § 3027 (promoting prostitution) and § 3028 (patronizing prostitution) to the Chapter. The practical result of this move is to grant the Attorney General concurrent jurisdiction over these offenses, as the Attorney General has concurrent authority to investigate and institute criminal proceedings under the provisions of the Chapter 30 pursuant to section 3026.

The bill further repeals and amends other provisions of 18 Pa.C.S. §5902 (prostitution), leaving only subsections (a), (a.1) and (f) with the result being that this section of law would now only criminalize "prostitution", which is defined as engaging "in sexual activity as a business" or loitering "in or within view of any public place for the purpose of being hired to engage in sexual activity." The offense of "prostitution" constitutes a misdemeanor of the third degree with no enhancements.

Other changes to Chapter 30 are as follows:

The bill amends 18 Pa.C.S. §3001 to add the following definitions:

- "Prostituted person" or "person in prostitution." An individual who engages in prostitution"
- "Prostitution." Engaging in sexual activity for money or anything of value.
- "Sexual activity." As defined in section 5902(f) (relating to prostitution).

The bill amends 18 Pa.C.S. § 3031 to clarify that grants are subject to available "money" rather than "funds" and requires annual public reporting by PCCD. Under the new requirement, the commission shall compile and annually post a report on the commission's publicly accessible website. Contents of the report shall include the amount of money that was spent by the commission on grants under this section and to which organizations the grants were awarded.

The bill further establishes a Prevention of Human Trafficking Account within the General Fund, to create a dedicated, ongoing funding stream for anti-trafficking programs.

Lastly, the bill makes technical changes to other areas in law that refer to the repealed portions of § 5902, replacing those citations with the new sections contained.

Specifics on 18 Pa.C.S. §3027 and 18 Pa.C.S. §3028:

Promoting Prostitution (§3027). Prohibited conduct and grading is as follows:

§3027(a)(1)-(4): Acts that constitute promoting prostitution.

Conduct: Owning, controlling, managing, supervising or otherwise keeping a prostitution business; encouraging, inducing or otherwise intentionally causing someone to enter or remain a person in prostitution, and; financially benefiting from prostitution.

Grading: Felony of the third degree. (§ 3027(c)(1)(i)(A))

§3027(a)(5)-(9): Facilitation and promotion conduct.

Conduct: Soliciting patrons; procuring a person in prostitution for a patron; transporting individuals for prostitution; leasing or allowing premises to be used for prostitution, and; soliciting or receiving any benefit from prohibited conduct.

Grading: Escalates based on number of offenses, as follows:

- First offense: Misdemeanor of the second degree (§ 3027(c)(1)(ii))
- Second offense: Misdemeanor of the first degree (§ 3027(c)(1)(iii))
- Third or subsequent offense: Felony of the third degree (§ 3027(c)(1)(i)(D))

§3027(b)(1)-(8): Promoting prostitution of a minor.

Conduct: Owning, controlling, managing, supervising or otherwise keeping a prostitution business in which a victim is a minor; procuring a person in prostitution who is a minor; encouraging, inducing or otherwise intentionally causing a minor to become or remain a person in prostitution; soliciting a minor to patronize a person in prostitution; procuring a person in prostitution who is a minor for a patron; transporting a minor for the purpose of prostitution; leasing or allowing premises to be used for prostitution of a minor, and; soliciting or receiving any benefit from prohibited conduct.

Punishment: Felony of the first degree (§ 3027(c)(2)).

Patronizing Prostitution (§3028)

Conduct: "A person commits the offense of patronizing prostitution if that person hires a person in prostitution or any other person to engage in sexual activity with him or her."

Grading: Escalates based on number of offenses, as follows:

- First offense: Misdemeanor of the third degree
- Second offense: Misdemeanor of the first degree
- Third or subsequent offense: Felony of the third degree

Mandatory fines are imposed for a violation of this section, starting at a minimum of \$2,500 and up to \$50,000 for repeat offenses or offenses involving minors. The fines are allocated to victim services, including:

- 50% to the Safe Harbor for Sexually Exploited Children Fund
- 50% to a newly established Prevention of Human Trafficking Restricted Account

Effective Date:

60 Days.

G. Relevant Existing Laws

Under current Pennsylvania law, prostitution and related offenses are primarily governed by 18 Pa.C.S. § 5902. That statute criminalizes prostitution, promoting prostitution, patronizing prostitutes, and related conduct.

Section 5902 defines prostitution as “engaging in sexual activity as a business or loitering for that purpose.” The statute also criminalizes promoting prostitution, including operating a house of prostitution, procuring individuals, or facilitating prostitution activity. Patronizing prostitution, hiring a prostitute, or entering a house of prostitution are also prohibited.

Grading under existing law increases based on repeat offenses. Knowledge of HIV status while engaging in prostitution is an aggravating factor that can increase the offense to a felony.

18 Pa.C.S. § 3031 authorizes grants for programs serving victims of human trafficking, funded through available appropriations.

E. Prior Session (Previous Bill Numbers & House/Senate Votes)

Portions of this bill were included in HB 1835 (McClinton) of 2021. HB 1835 never moved out of the HJC.

Part of this bill decriminalizing HIV in included in HB 632 (Waxman) of 2025. HB 632 passed the HJC on March 10, 2026, 14-12.

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THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 111 Session of 2025

INTRODUCED BY ARGALL, ROTHMAN, BROWN, COSTA, J. WARD, DUSH AND CAPPELLETTI, JANUARY 22, 2025

AS AMENDED ON THIRD CONSIDERATION, OCTOBER 27, 2025

AN ACT

1 Amending Title 61 (Prisons and Parole) of the Pennsylvania
2 Consolidated Statutes, in general administration relating to
3 correctional institutions, providing for residency of
4 corrections officers.

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

7 Section 1. Title 61 of the Pennsylvania Consolidated
8 Statutes is amended by adding a section to read:

9 § 1107. Residency of corrections officers.

10 (A) RESIDENCY.--Notwithstanding 71 Pa.C.S. § 2301(b) <--
11 (relating to examinations requisite for appointment and
12 promotion), the department may hire an applicant or promote an
13 individual as a corrections officer at a State correctional
14 institution who resides outside this Commonwealth.

15 (B) PREFERENCE.--A COMMONWEALTH RESIDENT SHALL RECEIVE <--
16 RESIDENTIAL PREFERENCE AS AN APPLICANT OR AN INDIVIDUAL SEEKING
17 A PROMOTION AS A CORRECTIONS OFFICER AT A STATE CORRECTIONAL
18 INSTITUTION. TO DETERMINE STANDING ON EACH CERTIFIED ELIGIBILITY
19 LIST, AN ADDITIONAL FIVE POINTS SHALL BE APPLIED TO THE FINAL

1 EXAMINATION SCORE OBTAINED BY A COMMONWEALTH RESIDENT WHO IS AN
2 APPLICANT OR SEEKING A PROMOTION AS A CORRECTIONS OFFICER AT A
3 STATE CORRECTIONAL INSTITUTION.

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

LEGISLATIVE REFERENCE BUREAU

AMENDMENTS TO SENATE BILL NO. 111

Sponsor: **Briggs**

Printer's No. 1279

1 Amend Bill, page 1, lines 15 through 19; page 2, lines 1
2 through 3; by striking out all of said lines on said pages and
3 inserting

4 (b) Preference.--Whenever the name of an applicant who meets
5 the residency requirements under 71 Pa.C.S. § 2301(b)(1) or (2)
6 appears on an eligible list certified as the result of a civil
7 service examination administered in accordance with 71 Pa.C.S.
8 Pt. III (relating to civil service reform) for appointment to a
9 corrections officer position at a State correctional
10 institution, the appointing authority, in making an appointment
11 to the position, shall give preference to the applicant if the
12 applicant is among the three highest-ranking available
13 individuals on the certification of eligibles or within the
14 specified alternative number designated in accordance with 71
15 Pa.C.S. § 2402(b)(2) (relating to selection and appointment of
16 eligibles). The preference under this subsection shall not apply
17 to promotional opportunities.

HOUSE OF REPRESENTATIVES

DEMOCRATIC COMMITTEE BILL ANALYSIS

Bill No:	SB0111 PN1279	Prepared By:	David Vitale, Esq. (717) 705-7011,6791
Committee:	Judiciary	Executive Director:	David Vitale, Esq.
Sponsor:	Argall, David		
Date:	10/29/2025		

A. Brief Concept

Eliminates the residency requirement for corrections officers.

C. Analysis of the Bill

Amends Title 61 by adding § 1107 (Residency of corrections officers) to eliminate the residency requirement for corrections officers. The bill allows DOC to hire an applicant or promote an individual as a corrections officer at a State correctional institution who resides outside this Commonwealth. The bill also includes a residency preference that awards Pennsylvania residence five points on a final examination for hiring and promotion purposes.

Effective Date:

60 Days.

G. Relevant Existing Laws

Title 71 (State Government), Section 2301 (Examinations Requisite for Appointment and Promotion) requires all individuals applying for a position or promotion in the classified service to be a resident of the Commonwealth, or a former resident of the Commonwealth.

Title 71 (State Government), Section 2013 (Definitions) defines "Classified Service" as, among many others, each position existing on or created after August 5, 1941, in a department or agency under the Governor's jurisdiction (i.e. the Department of Corrections).

Title 4 (Administration), Section 610.1 (Residency Requirement) of the Pennsylvania Code requires all applicants seeking appointment or promotion to a position in the classified service to be a resident or former resident of this Commonwealth.

E. Prior Session (Previous Bill Numbers & House/Senate Votes)

None.

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THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1235 Session of
2026

INTRODUCED BY BAKER, VOGEL, STREET, J. WARD, PENNYCUICK AND
DUSH, MARCH 18, 2026

REFERRED TO JUDICIARY, MARCH 18, 2026

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 Pennsylvania Parole Board.

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

6 Section 1. Section 6111(b) and (c)(2) of Title 61 of the
7 Pennsylvania Consolidated Statutes are amended to read:

8 § 6111. Pennsylvania Parole Board.

9 * * *

10 (b) Membership.--The board shall consist of nine members who
11 shall be appointed by the Governor, by and with the advice and
12 consent of a majority of the members of the Senate, and each of
13 whom shall hold office for a term of six years or until that
14 person's successor shall have been duly appointed and qualified,
15 but in no event more than [90 days] six months beyond the
16 expiration of that person's appointed term.

17 (c) Vacancies.--

18 * * *

1 (2) Whenever a board member's term expires, that
2 member's position shall be immediately deemed a vacancy, and
3 the Governor shall nominate a person to fill that membership
4 position on the board [within 90 days of] not later than six
5 months after the date of expiration, even if the member
6 continues to remain on the board.

7 * * *

8 Section 2. This act shall apply to members of the
9 Pennsylvania Parole Board who hold that office on or after the
10 effective date of this section.

11 Section 3. This act shall take effect in 60 days.

LEGISLATIVE REFERENCE BUREAU

AMENDMENTS TO SENATE BILL NO. 1235

Sponsor: **Briggs**

Printer's No. 1513

1 Amend Bill, page 1, line 3, by inserting after "Board"
2 and for incompatible offices and removal

3 Amend Bill, page 1, lines 6 and 7, by striking out all of
4 said lines and inserting

5 Section 1. Sections 6111(b) and (c)(2) and 6115(a) of Title
6 61 of the Pennsylvania Consolidated Statutes are amended to
7 read:

8 Amend Bill, page 2, by inserting between lines 7 and 8

9 § 6115. Incompatible offices and removal.

10 (a) General rule.--The members of the board shall not hold
11 any other public office [or employment nor engage in any
12 business, profession or employment during their terms of service
13 as members thereof and shall hold their offices during the terms
14 for which they shall have been appointed]. Members of the board
15 may not engage in any business, profession or employment during
16 their terms of service as members unless he or she receives
17 prior approval from the Office of General Counsel that the
18 business, profession or employment:

19 (1) is not incompatible with his or her official duties;

20 and

21 (2) does not create a conflict of interest with his or
22 her official duties.

23 * * *

24 Amend Bill, page 2, line 11, by striking out "in 60 days" and
25 inserting

26 immediately

HOUSE OF REPRESENTATIVES

DEMOCRATIC COMMITTEE BILL ANALYSIS

Bill No:	SB1235 PN1513	Prepared By:	David Vitale, Esq. (717) 705-7011
Committee:	Judiciary	Executive Director:	David Vitale, Esq.
Sponsor:	Baker, Lisa		
Date:	6/18/2026		

A. Brief Concept

Extends the period of time that a member of the parole board may serve until a successor qualifies.

C. Analysis of the Bill

Amends Title 61, § 6111 (Pennsylvania Parole Board) (b) (Membership) and (c) (Vacancies) to extend the period of time a board members may serve after the expiration of their term from 90 days to six months.

Effective Date:

60 Days.

G. Relevant Existing Laws

Under current law, the term of office for a member of the parole board is 6 years. Upon expiration of that term, the member is permitted to continue to serve for 90 days until the governor nominates (and Senate confirms) another individual to take that expired member's place.

§ 6111. Pennsylvania Parole Board.
* * *

(b) Membership.--The board shall consist of nine members who shall be appointed by the Governor, by and with the advice and consent of a majority of the members of the Senate, and each of whom shall hold office for a term of six years or until that person's successor shall have been duly appointed and qualified, but **in no event more than 90 days beyond the expiration** of that person's appointed term.

(c) Vacancies.-
* * *

(2) Whenever a board member's term expires, that member's position shall be immediately deemed a vacancy, and the Governor shall nominate a person to fill that membership position on the board **within 90 days** of the date of expiration, even if the member continues to remain on the board.

E. Prior Session (Previous Bill Numbers & House/Senate Votes)

None.

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THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1259 Session of 2026

INTRODUCED BY CAPPELLETTI, BAKER, SCHWANK, SAVAL, KANE, COSTA, KIM AND VOGEL, APRIL 1, 2026

SENATOR BAKER, JUDICIARY, AS AMENDED, APRIL 21, 2026

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 investigation of circumstances
4 of offense and for parole procedure.

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

7 Section 1. Section 6135 of Title 61 of the Pennsylvania
8 Consolidated Statutes is amended by adding a subsection to read:
9 § 6135. Investigation of circumstances of offense.

10 * * *

11 (c) Confidentiality of parole review materials.--Except as
12 provided under section 6139(a)(5) (relating to parole
13 procedure), RECORDS OF THE BOARD'S PAROLE DECISION-MAKING
14 PROCESS AND records or information furnished to the board by a
15 public official or public employee under subsection (b):

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- 16 (1) Shall be deemed confidential and privileged.
17 (2) Shall not be subject to subpoena or discovery.
18 (3) Shall not be introduced into evidence in a judicial
19 or administrative proceeding.

1 (4) Shall not be released to the offender.

2 Section 2. Section 6139(a) (5) of Title 61 is amended to
3 read:

4 § 6139. Parole procedure.

5 (a) Specific requirements.--

6 * * *

7 (5) [Whenever an offender is paroled by the board, or
8 whenever parole is refused by the board, a brief statement of
9 the reasons for the board's action shall be filed of record
10 in the offices of the board and shall be at all reasonable
11 times open to public inspection.] The board shall comply with
12 the following relating to decisions of the board:

13 (i) If an incarcerated person is paroled by the
14 board, the board shall provide a brief statement of the
15 reasons for the board's approval and set conditions and
16 requirements of parole.

17 (ii) If an incarcerated person is denied parole, the
18 board shall provide a brief statement of the reasons for
19 the board's refusal.

20 (iii) If the board denies parole and sets a
21 subsequent review date, the board shall provide to the
22 incarcerated person areas of emphasis that will be
23 considered for purposes of making the board's future
24 paroling decision, including recommended programming,
25 behavior standards and compliance standards.

26 (iv) A board decision shall be recorded and filed in
27 the offices of the board.

28 (v) The decision shall be given to the incarcerated
29 person and at reasonable times be releasable to the
30 public.

1 * * *

2 Section 3. This act shall take effect immediately.

HOUSE OF REPRESENTATIVES

DEMOCRATIC COMMITTEE BILL ANALYSIS

Bill No:	SB1259 PN1626	Prepared By:	David Vitale, Esq. (717) 705-7011
Committee:	Judiciary	Executive Director:	David Vitale, Esq.
Sponsor:	Cappelletti and Baker		
Date:	6/18/2026		

A. Brief Concept

Clarifies which Parole Board documents are privileged and expands the information available to incarcerated individuals beyond current legal requirements.

C. Analysis of the Bill

This bill will maintain the status quo related to parole records.

Amends Title 61 § 6135 to make parole review material records used during the parole decision-making process and records or information furnished to the Board by public officials or public employees confidential and privileged, not subject to subpoena or discovery, not used as evidence in a judicial or administrative proceeding, and not released to the offender. This moves what had been previously contained in 37 Pa. Code § 61.2. into Title 61. The bill further expands the information that had been previously available to incarcerated people who are denied parole. 37 Pa. Code § 61.2 and Title 61 § 6139, allowed for a 'brief statement' of the reasons for a parole denial to be filed and open to the public. This bill significantly expands on that as such:

"The board shall comply with the following relating to decisions of the board:

- i. If an incarcerated person is paroled by the board, the board shall provide a brief statement of the reasons for the board's approval and set conditions and requirements of parole.
- ii. If an incarcerated person is denied parole, the board shall provide a brief statement of the reasons for the board's refusal.
- iii. If the board denies parole and sets a subsequent review date, the board shall provide to the incarcerated person areas of emphasis that will be considered for purposes of making the board's future paroling decision, including recommended programming, behavior standards and compliance standards.
- iv. A board decision shall be recorded and filed in the offices of the board.
- v. The decision shall be given to the incarcerated person and at reasonable times be releasable to the public."

Significantly, SB 1259 will provide an incarcerated person denied parole with a document showing "areas of emphasis" that will be considered in future decisions and will include recommended programming, behavior standards and compliance standards. Previously all that an incarcerated person had access to was a brief statement regarding their denial.

Effective Date:

Immediately.

G. Relevant Existing Laws

Rule 37 Pa. Code § 61.2, a regulation promulgated by the Parole Board, created an evidentiary privilege for "Records, reports and other written things and information, evaluations, opinions and voice recordings in the Board's custody or possession touching on matters concerning a

probationer or parolee are private, confidential and privileged; except that a brief statement of the reasons for actions by the Board granting or refusing a parole will at all reasonable times be open to public inspection in the offices of the Board." In practice, this Rule prohibited people denied parole access to information used by the Parole Board in the parole decision making process.

In Toland v. Pennsylvania Board of Probation and Parole (Pa. Sup. Ct., Oct. 6, 2025, No. 11 EAP 2024) the Pennsylvania Supreme Court eliminated this privilege, ruling that the Parole Board does not have the legal authority to create an evidentiary privilege. The case concerned an incarcerated person named Toland who had been denied parole multiple times. Toland filed a petition for review in the Commonwealth Court, seeking mandamus relief for alleged constitutional violations in 2017, 2018, and 2019 denials, claiming the Board relied on false information, acted arbitrarily, and applied parole standards retroactively.

During discovery, Toland requested extensive documents from his parole file, including information used during the parole decision-making process. He asserted that he could waive the privilege in 37 Pa. Code § 61.2 as a holder of the privilege. The Board of Probation and Parole objected. The Commonwealth Court overruled the BPP's objections, finding Toland, as the beneficiary, could waive the privilege.

On appeal to the PA Supreme Court, the Court ruled for Toland on a different basis- that the Parole Board itself does not have the legal authority to create an evidentiary privilege. The court concluded that such a privilege could only be derived by the Constitution, common law, or in statute, and that no privilege is created under 37 Pa. Code § 61.2.

E. Prior Session (Previous Bill Numbers & House/Senate Votes)

None.

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