

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 387 Session of 2025

INTRODUCED BY STREET, BARTOLOTTA, SAVAL, CAPPELLETTI, HAYWOOD
AND SCHWANK, MARCH 6, 2025

REFERRED TO JUDICIARY, MARCH 6, 2025

AN ACT

1 Amending Titles 18 (Crimes and Offenses) and 61 (Prisons and
2 Parole) of the Pennsylvania Consolidated Statutes, in
3 authorized disposition of offenders, further providing for
4 sentence for murder, murder of unborn child and murder of law
5 enforcement officer and for sentence of persons under the age
6 of 18 for murder, murder of an unborn child and murder of a
7 law enforcement officer; and, in Pennsylvania Board of
8 Probation and Parole, further providing for parole power.

9 The General Assembly of the Commonwealth of Pennsylvania
10 hereby enacts as follows:

11 Section 1. Sections 1102(b) and 1102.1(c) of Title 18 of the
12 Pennsylvania Consolidated Statutes are amended to read:

13 § 1102. Sentence for murder, murder of unborn child and murder
14 of law enforcement officer.

15 * * *

16 (b) Second degree.--Except as provided under section 1102.1,
17 a person who has been convicted of murder of the second degree,
18 of second degree murder of an unborn child or of second degree
19 murder of a law enforcement officer shall be sentenced to a term
20 of [life] imprisonment, the minimum of which shall be at least
21 25 years.

* * *

§ 1102.1. Sentence of persons under the age of 18 for murder,
murder of an unborn child and murder of a law
enforcement officer.

* * *

(c) Second degree murder.--A person who has been convicted
after June 24, 2012, of a murder of the second degree, second
degree murder of an unborn child or murder of a law enforcement
officer of the second degree and who was under the age of 18 at
the time of the commission of the offense shall be sentenced as
follows:

(1) A person who at the time of the commission of the
offense was 15 years of age or older shall be sentenced to a
term of imprisonment the minimum of which shall be at least
[30 years to life] 20 years.

(2) A person who at the time of the commission of the
offense was under 15 years of age shall be sentenced to a
term of imprisonment the minimum of which shall be at least
[20 years to life] 15 years.

* * *

Section 2. Section 6137(a)(1) and (3) of Title 61 are
amended to read:

§ 6137. Parole power.

(a) General criteria for parole.--

(1) The board may parole subject to consideration of
guidelines established under 42 Pa.C.S. § 2154.5 (relating to
adoption of guidelines for parole) or subject to section
6137.1 (relating to short sentence parole) and such
information developed by or furnished to the board under
section 6174 (relating to right of access to offenders), or

1 both, and may release on parole any offender to whom the
2 power to parole is granted to the board by this chapter,
3 except an offender condemned to death or serving life
4 imprisonment for first degree murder, whenever in its
5 opinion:

6 (i) The best interests of the offender justify or
7 require that the offender be paroled.

8 (ii) It does not appear that the interests of the
9 Commonwealth will be injured by the offender's parole.

10 * * *

11 (3) The power to parole granted under this section to
12 the board may not be exercised in the board's discretion at
13 any time before, but only after, the expiration of the
14 minimum term of imprisonment fixed by the court in its
15 sentence or by the Board of Pardons in a sentence which has
16 been reduced by commutation[.], subject to the following:

17 (i) Notwithstanding 42 Pa.C.S. § 9757 (relating to
18 consecutive sentences of total confinement for multiple
19 offenses) and except for an incarcerated person sentenced
20 to life imprisonment under 42 Pa.C.S. § 9711 (relating to
21 sentencing procedure for murder of the first degree), in
22 the case of an incarcerated person sentenced to life
23 imprisonment, the board may grant parole only after a
24 period of at least 25 years has elapsed since the
25 beginning date of the incarceration of the incarcerated
26 person.

27 (ii) Notwithstanding 42 Pa.C.S. § 9757, in the case
28 of an incarcerated person sentenced under 18 Pa.C.S. §
29 1102.1(c)(1) (relating to sentence of persons under the
30 age of 18 for murder, murder of an unborn child and

1 murder of a law enforcement officer), the board may grant
2 parole only after a period of at least 20 years has
3 elapsed since the beginning date of the incarceration of
4 the incarcerated person.

5 (iii) Notwithstanding 42 Pa.C.S. § 9757, in the case
6 of an incarcerated person sentenced under 18 Pa.C.S. §
7 1102.1(c)(2), the board may grant parole only after a
8 period of at least 15 years has elapsed since the
9 beginning date of the incarceration of the incarcerated
10 person.

11 (iv) Before parole may be granted under subparagraph
12 (i), (ii) or (iii), the board must give primary
13 consideration to the protection of the public and to
14 victim safety.

15 (v) In addition to the considerations required under
16 42 Pa.C.S. § 2154.5, when determining whether to grant
17 parole under subparagraph (i), (ii) or (iii), the board
18 shall consider the level of culpability of the person in
19 the underlying murder, including whether the person
20 directly caused or intended to cause a death.

21 * * *

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