

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 875 Session of
2025

INTRODUCED BY LANGERHOLC, BAKER, DUSH, ARGALL, STEFANO, J. WARD
AND VOGEL, JUNE 23, 2025

REFERRED TO JUDICIARY, JUNE 23, 2025

AN ACT

1 Amending Titles 18 (Crimes and Offenses) and 61 (Prisons and
2 Parole) of the Pennsylvania Consolidated Statutes, in
3 criminal history record information, further providing for
4 clean slate limited access; in motivational boot camp,
5 further providing for definitions, for selection of inmate
6 participants, for motivational boot camp program, for
7 procedure for selection of participant in motivational boot
8 camp program, for completion of motivational boot camp
9 program and for evaluation; in State drug treatment program,
10 further providing for definitions; and, in miscellaneous
11 provisions, providing for report on incarcerated individuals
12 with certain health conditions.

13 The General Assembly of the Commonwealth of Pennsylvania
14 hereby enacts as follows:

15 Section 1. Section 9122.2(b)(1) of Title 18 of the
16 Pennsylvania Consolidated Statutes is amended and subsections

17 (a) and (b) are amended by adding paragraphs to read:

18 § 9122.2. Clean slate limited access.

19 (a) General rule.--The following shall be subject to limited
20 access:

21 * * *

22 (1.2) Subject to whether a court has vacated an order
23 for limited access under section 9122.4 (relating to order to

1 vacate order for limited access), criminal history record
2 information pertaining to a conviction that rendered an
3 individual eligible for the motivational boot camp program
4 under 61 Pa.C.S. § 3905 (relating to motivational boot camp
5 program), if a person successfully completed the motivational
6 boot camp program in accordance with 61 Pa.C.S. § 3907
7 (relating to completion of motivational boot camp program),
8 for three years following program completion for misdemeanor
9 offenses and has been free of conviction for any offense
10 punishable by imprisonment for one or more years and if
11 payment of all court-ordered restitution has occurred. Upon
12 payment of all court-ordered restitution, the person whose
13 criminal history record information is subject to limited
14 access under this paragraph shall also pay the fee previously
15 authorized to carry out the limited access and clean slate
16 limited access provisions.

17 (1.3) Subject to whether a court has vacated an order
18 for limited access under section 9122.4, criminal history
19 record information pertaining to a conviction that rendered
20 an individual eligible for the motivational boot camp program
21 under 61 Pa.C.S. § 3905, if a person successfully completed
22 the motivational boot camp program in accordance with 61
23 Pa.C.S. § 3907, and for five years following program
24 completion for felony offenses has been free of conviction
25 for any offense punishable by imprisonment for one or more
26 years and if payment of all court-ordered restitution has
27 occurred. Upon payment of all court-ordered restitution, the
28 person whose criminal history record information is subject
29 to limited access under this paragraph shall also pay the fee
30 previously authorized to carry out the limited access and

1 clean slate limited access provisions.

2 * * *

3 (b) Procedures.--

4 (1) On a monthly basis, the Administrative Office of
5 Pennsylvania Courts shall transmit to the Pennsylvania State
6 Police central repository the record of any conviction
7 eligible for limited access under subsection (a)(1), (1.2) or
8 (1.3).

9 * * *

10 (6) Within 30 days of a person becoming eligible under
11 subsection (a)(1.2) or (1.3), the Department of Corrections
12 shall certify to the Administrative Office of Pennsylvania
13 Courts the person's successful completion of the motivational
14 boot camp program.

15 * * *

16 Section 2. The definition of "eligible inmate" in section
17 3903 of Title 61 is amended to read:

18 § 3903. Definitions.

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

22 * * *

23 "Eligible inmate." [A person sentenced to a term of
24 confinement under the jurisdiction of the Department of
25 Corrections who is serving a term of confinement, the minimum of
26 which is not more than two years and the maximum of which is
27 five years or less, or an inmate who is serving a term of
28 confinement, the minimum of which is not more than three years
29 where that inmate is within two years of completing his minimum
30 term, and who has not reached 40 years of age at the time he is

1 approved for participation in the motivational boot camp
2 program. The term shall not include any inmate who is subject to
3 a sentence the calculation of which included an enhancement for
4 the use of a deadly weapon as defined pursuant to the sentencing
5 guidelines promulgated by the Pennsylvania Commission on
6 Sentencing, any inmate who has been convicted or adjudicated
7 delinquent of any crime listed under 42 Pa.C.S. Ch. 97 Subch. H
8 (relating to registration of sexual offenders) or I (relating to
9 continued registration of sexual offenders) or any inmate with a
10 current conviction or a prior conviction within the past ten
11 years for 18 Pa.C.S. § 2502 (relating to murder), drug
12 trafficking as defined in section 4103 (relating to definitions)
13 or a crime of violence as defined in 42 Pa.C.S. § 9714(g)
14 (relating to sentences for second or subsequent offenses) or
15 criminal attempt, criminal solicitation or criminal conspiracy
16 to commit any of these offenses.] A person who has not been
17 designated by a sentencing judge as ineligible and to whom the
18 following apply:

19 (1) The person has not been convicted or adjudicated
20 delinquent of any crime listed under 42 Pa.C.S. Ch. 97 Subch.
21 H (relating to registration of sexual offenders) or I
22 (relating to continued registration of sexual offenders).

23 (2) The person is not currently convicted or has not
24 been convicted within the past 10 years of a crime listed
25 under 18 Pa.C.S. Ch. 25 (relating to criminal homicide).

26 (3) The person is not subject to a sentence of which
27 included an enhancement for the use of a deadly weapon as
28 defined pursuant to law or the sentencing guidelines
29 promulgated by the commission.

30 (4) The person is not awaiting trial or sentencing for

1 additional criminal charges. This does not include a traffic
2 citation which is classified as summary offense under 75
3 Pa.C.S. (relating to vehicles).

4 (5) The person has been sentenced to a term of
5 confinement under the jurisdiction of the department, the
6 minimum of which is not more than two years, or a person who
7 is serving a term of confinement, the minimum of which is not
8 more than five years where the person is within two years of
9 completing the person's minimum term.

10 * * *

11 Section 3. Sections 3904(b) and (c), 3905(d), 3906, 3907 and
12 3909 of Title 61 are amended to read:

13 § 3904. Selection of inmate participants.

14 * * *

15 (b) Duties of sentencing judge.--The sentencing judge shall
16 employ the sentencing guidelines to identify those defendants
17 who are eligible for participation in a motivational boot camp.
18 The judge shall have the discretion to exclude a defendant from
19 eligibility if the judge determines that the defendant would be
20 inappropriate for placement in a motivational boot camp. The
21 judge shall note on the sentencing order whether the defendant
22 has been excluded from eligibility for a motivational boot camp
23 program. When determining whether the defendant is eligible, the
24 sentencing judge shall consider the following:

25 (1) Whether the defendant's participation in a
26 motivational boot camp is consistent with the safety of the
27 community.

28 (2) Whether the defendant's participation in a
29 motivational boot camp is consistent with the welfare of the
30 individual.

1 (3) Whether the defendant's participation in a
2 motivational boot camp is consistent with the objectives of
3 the department.

4 (4) The health and physical condition of the defendant.

5 (5) The defendant's criminal history.

6 (6) The defendant's escape history.

7 (7) The defendant's institutional adjustment during
8 prior incarcerations.

9 (8) Outstanding detainers or parole warrants, or both,
10 for the defendant.

11 (9) The defendant's psychological profile.

12 (10) The position of a victim of the defendant's crime,
13 as advised by the prosecuting attorney, on the eligibility of
14 the defendant.

15 (11) The position of the prosecuting attorney on the
16 eligibility of the defendant.

17 (12) Whether the defendant will sign a memorandum of
18 understanding agreeing to the terms of the motivational boot
19 camp program.

20 (c) Duties of department.--[The secretary shall promulgate
21 rules and regulations providing for inmate selection criteria
22 and the establishment of motivational boot camp selection
23 committees within each diagnostic and classification center of
24 the department.]

25 Following a determination by the sentencing
26 judge, the eligible inmate shall be placed in the motivational
27 boot camp program unless the selection committee and the
28 department finds that the admittance of the eligible inmate is
29 substantially more likely than not inconsistent with the safety
30 of the community and the welfare of the applicant. The
 department shall promptly notify, in writing, the court, the

eligible inmate and the attorney for the Commonwealth, of the
placement or denial of placement of the eligible inmate.

* * *

§ 3905. Motivational boot camp program.

* * *

(d) Approval.--Motivational boot camp programs may be
established [only at correctional institutions classified by the
secretary as motivational boot camp institutions.] as follows:

(1) The department shall establish a motivational boot
camp, which shall operate at a correctional institution that
operated a motivational boot camp on or before January 1,
2025, and the institution is located in a county of the sixth
class with a population between 80,000 and 81,000 based on
the most recent Federal decennial census.

(2) (Reserved).

§ 3906. Procedure for selection of participant in motivational
boot camp program.

[(a) Application.--An eligible inmate may make an
application to the motivational boot camp selection committee
for permission to participate in the motivational boot camp
program.]

(a.1) Memorandum of understanding required.--An eligible
inmate that seeks admission into the motivational boot camp
program shall sign a memorandum of understanding agreeing to the
terms of the motivational boot camp program. The memorandum of
understanding shall be transmitted to the selection committee
for the eligible inmate's admittance to the program.

(b) Selection.--[If the selection committee determines that
an inmate's participation in the program is consistent with the
safety of the community, the welfare of the applicant, the

1 programmatic objectives and the rules and regulations of the
2 department,] Unless the committee determines that admittance of
3 the eligible inmate is substantially more likely than not
4 inconsistent with the safety of the community and the welfare of
5 the applicant, the committee shall forward [the application] all
6 information associated with the eligible inmate to the secretary
7 or his designee for approval [or disapproval].

8 (c) Conditions.--Applicants may not participate in the
9 motivational boot camp program unless they agree to be bound by
10 all the terms and conditions thereof and indicate their
11 agreement by signing a memorandum of understanding.

12 (d) Qualifications to participate.--Satisfaction of the
13 qualifications set forth in this section to participate does not
14 mean that an inmate will automatically be permitted to
15 participate in the program.

16 (e) Expulsion from program.--

17 (1) An inmate's participation in the motivational boot
18 camp unit may be suspended or revoked for administrative or
19 disciplinary reasons.

20 (2) The department shall develop regulations consistent
21 with this subsection.

22 § 3907. Completion of motivational boot camp program.

23 Upon certification by the department of the inmate's
24 successful completion of the program, the Pennsylvania Board of
25 Probation and Parole shall immediately release the inmate on
26 parole, notwithstanding any minimum sentence imposed in the
27 case. [The parolee will be subject to intensive supervision for
28 a period of time determined by the board, after which the
29 parolee will be subject to the usual parole supervision.] The
30 entire term of confinement that rendered the participant

1 eligible to participate in the motivational boot camp program
2 shall be deemed to have been served. For all other purposes, the
3 parole of the inmate shall be as provided by Chapter 61
4 (relating to Pennsylvania Board of Probation and Parole).

5 § 3909. Evaluation.

6 The department and the commission shall monitor and evaluate
7 the motivational boot camp program to ensure that the
8 programmatic objectives are met. The Legislative Budget and
9 Finance Committee, in collaboration with the department and the
10 commission, shall present an annual report to the Judiciary
11 Committee of the Senate and the Judiciary Committee of the House
12 of Representatives no later than February 1 of each year. The
13 annual report shall include the following:

14 (1) The one-year recidivism rate of the motivational
15 boot camp program.

16 (2) The three-year recidivism rate of the motivational
17 boot camp program.

18 (3) The annual number of GEDs granted amongst
19 participants of the motivational boot camp program.

20 (4) The cost savings associated with the motivational
21 boot camp program.

22 (5) Any other information the Legislative Budget and
23 Finance Committee deems necessary.

24 Section 4. The definition of "eligible person" in section
25 4103 of Title 61 is amended to read:

26 § 4103. Definitions.

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

30 * * *

1 "Eligible person."

2 (1) A person who has not been designated by the
3 sentencing court as ineligible and is a person convicted of a
4 drug-related offense who:

5 (i) Has undergone an assessment performed by the
6 Department of Corrections, which assessment has concluded
7 that the person is in need of drug and alcohol addiction
8 treatment and would benefit from commitment to the State
9 drug treatment program and that placement in the State
10 drug treatment program would be appropriate.

11 (ii) Does not demonstrate a history of present or
12 past violent behavior.

13 (iii) Is a person sentenced to a term of confinement
14 under the jurisdiction of the department, the minimum of
15 which is not more than two years, or a person who is
16 serving a term of confinement, the minimum of which is
17 not more than five years where the person is within two
18 years of completing the person's minimum term.

19 (iv) Provides written consent permitting release of
20 information pertaining to the person's participation in
21 the State drug treatment program.

22 (2) The term shall not include a person who is subject
23 to a sentence the calculation of which includes an
24 enhancement for the use of a deadly weapon, as defined
25 pursuant to law or the sentencing guidelines promulgated by
26 the Pennsylvania Commission on Sentencing, a person who has
27 been convicted or adjudicated delinquent of any crime listed
28 under 42 Pa.C.S. Ch. 97 Subch. H (relating to registration of
29 sexual offenders) or I (relating to continued registration of
30 sexual offenders) or a person with a current conviction or a

1 prior conviction within the past ten years for 18 Pa.C.S. §
2 2502 (relating to murder), drug trafficking as defined in
3 this section or a crime of violence as defined in 42 Pa.C.S.
4 § 9714(g) (relating to sentences for second or subsequent
5 offenses) or criminal attempt, criminal solicitation or
6 criminal conspiracy to commit any of these offenses.

7 (2.1) The term shall not include a person who is
8 actively participating in the motivational boot camp program
9 established under section 3905 (relating to motivational boot
10 camp program). This paragraph does not preclude an individual
11 from being eligible after completion or expulsion from the
12 motivational boot camp program.

13 * * *

14 Section 5. Title 61 is amended by adding a section to read:
15 § 5912. Report on incarcerated individuals with certain health
16 conditions.

17 The Legislative Budget and Finance Committee shall conduct a
18 study, in collaboration with the department, the Department of
19 Human Services, the Administrative Office of Pennsylvania Courts
20 and the commission, on the incarceration of individuals with
21 certain health conditions, to which the following shall apply:

22 (1) The study shall include the following information:

23 (i) The number of inmates currently in a State
24 correctional institution in this Commonwealth who have a
25 terminal illness or a seriously deteriorating medical
26 condition that is not compatible with the traditional
27 incarceration setting.

28 (ii) Aggregate costs associated with an inmate with
29 a terminal illness or seriously deteriorating medical
30 condition that is not compatible with the traditional

1 incarceration setting and the difference from an inmate
2 without a terminal illness or a seriously deteriorating
3 medical condition that is not compatible with the
4 traditional incarceration setting, which shall include
5 any reimbursements from Federal and State entities.

6 (iii) Aggregate information related to the severity
7 of the offense for individuals with a terminal illness or
8 a seriously deteriorating medical condition that is not
9 compatible with the traditional incarceration setting,
10 including the statutory grading, offense gravity score,
11 prior record score and the length of sentence.

12 (iv) The ability, potential cost savings and
13 benefits of using a nontraditional correctional setting
14 for the incarceration of inmates with terminal illness or
15 a seriously deteriorating medical condition, which shall
16 include the consideration of the correctional institution
17 that operates a motivational boot camp program
18 established under section 3905 (relating to motivational
19 boot camp program).

20 (v) Best practices from other states related to the
21 incarceration of individuals with certain health
22 conditions.

23 (vi) Any other information the Legislative Budget
24 and Finance Committee deems relevant.

25 (2) The Legislative Budget and Finance Committee shall
26 submit a report of its findings to the General Assembly under
27 paragraph (1) no later than March 31, 2026.

28 Section 6. This act shall take effect as follows:

29 (1) The following shall take effect immediately:

30 The amendment of 61 Pa.C.S. § 3905(d).

1 The addition of 61 Pa.C.S. § 5912.

2 This section.

3 (2) The amendment of 18 Pa.C.S. § 9122.2 shall take
4 effect in 180 days.

5 (3) The remainder of this act shall take effect in 60
6 days.