Bill Summary

If enacted, Senate Bill 14 (P.N. 59) would limit the time Pennsylvanians can be sentenced to probation (as most other states have done), reduce the amount of time spent on probation, limit incarceration following a probation revocation, and would apply these changes retroactively under certain conditions.

Bill status


Bill details

If enacted, SB 14 (PN 59) would:

Limit the amount of time a person can be sentenced to probation by:

- Capping probation terms for felonies at 5 years;
- Capping probation terms for misdemeanors at 3 years;
- Eliminating “stacked sentences” (sentencing a person to consecutive terms of probation);
- Eliminating “split sentences” (sentencing a person to a period of probation following incarceration/parole).

Reduce the amount of time a person spends on probation by:

- Requiring early termination of supervised probation after a person has served 18 months of probation without violation or revocation;
- Eliminating the ability of judges to incarcerate someone in order to “vindicate the authority of the court;”
- Prohibiting courts from extending probation terms because a person failed to pay a fine, cost, or restitution if the person is not financially able to pay.

Limit the amount of time people can be incarcerated following a revocation of their probation by:

- Instructing courts on when they can incarcerate people for probation revocations:
  - If probation is revoked for a technical or administrative violation of probation, and conduct indicates the person is likely to commit a future crime and if no other condition of supervision or treatment will decrease the likelihood of future crime, incarceration is capped at 30 days;
  - If convicted of a new misdemeanor offense, incarceration is capped at 6 months;
  - If convicted of a new felony offense, courts may use alternatives to incarceration that were available at the time of the original sentencing.

Apply these changes retroactively by:

- Allowing people serving a sentence of more than one year of incarceration as a result of a probation revocation for technical violations to petition the court for resentencing according to the new rules if:
  - The revocation and sentence of imprisonment were for an administrative violation of probation;
  - The person has had no disciplinary infractions while incarcerated;
  - The person has had no new criminal charges or convictions while on probation; and
  - The person may only petition for such a re-sentencing once, unless new conditions arise for a second petition later on.