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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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SENATE BILL

No. 875 Session of  
2025

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

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REFERRED TO JUDICIARY, JUNE 23, 2025

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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.] Following a determination by the sentencing

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

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

3 \* \* \*

4 § 3905. Motivational boot camp program.

5 \* \* \*

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

9 (1) The department shall establish a motivational boot  
10 camp, which shall operate at a correctional institution that  
11 operated a motivational boot camp on or before January 1,  
12 2025, and the institution is located in a county of the sixth  
13 class with a population between 80,000 and 81,000 based on  
14 the most recent Federal decennial census.

15 (2) (Reserved).

16 § 3906. Procedure for selection of participant in motivational  
17 boot camp program.

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

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

28 (b) Selection.--[If the selection committee determines that  
29 an inmate's participation in the program is consistent with the  
30 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.