

## **COMMITTEE BILL ANALYSIS**

**Bill:** House Bill 135

**Printer's No.:** 1710

**Sponsor:** Representative Sabatina

**Prepared by:** Gregg Warner

**Synopsis:** This bill amends the Pennsylvania Commission on Crime and Delinquency Law, 1978 Act 274, by adding the Executive Director of the Pennsylvania Commission on Sentencing as a member of the Pennsylvania Commission on Crime and Delinquency and making other changes relating to the powers and duties of the commission and its advisory committees.

### **Summary:**

#### **Sentencing executive director**

The Pennsylvania Commission on Crime and Delinquency Law is amended by adding the Executive Director of the Pennsylvania Commission on Sentencing as a member of the Pennsylvania Commission on Crime and Delinquency.

#### **Delegates**

The Attorney General, Chief Justice, judge of the court of common pleas and any member of the Cabinet or the General Assembly who is a member of the commission may delegate one of their employees to represent the member at a commission meeting. The delegate may lawfully vote and otherwise act on behalf of the member. The delegation must be in writing and delivered to the chairman prior to the start of the meeting.

#### **Reorganization**

The amendments relating to the establishment of advisory committees, the Juvenile Justice and Delinquency Prevention Committee, and the Targeted Community Revitalization and Crime Prevention Advisory Committee are not new but moved from certain sections of the law to other sections to reorganize the statute in a more logical fashion.

#### **Effective date**

This act takes effect in 60 days.

**Background:** The House of Representatives passed House Bill 135 on May 11, 2011 by a vote of 191 to 0.

**Pennsylvania Commission on Crime and Delinquency**

The Pennsylvania Commission on Crime and Delinquency (PCCD) was established in 1978 with the mission of improving the criminal justice system. PCCD helps coordinate the work of state and local criminal justice agencies to increase communication, effectiveness and efficiency. PCCD provides training to deputy sheriffs and constables and technical assistance to communities and organizations to promote crime and delinquency prevention efforts. PCCD allocates federal and state funds to victims, victim service providers, and criminal and juvenile justice agencies.

Membership on the commission currently includes the Attorney General, the Chief Justice of Pennsylvania, the Court Administrator of Pennsylvania, a judge of the court of common pleas, the Commissioner of State Police, the chairmen of the House and Senate majority appropriation committees, the chairman of the Juvenile Justice and Delinquency Prevention Committee, four members of the General Assembly, seven members appointed by the Governor representing local agencies, seven private citizens appointed by the Governor, the Secretary of Corrections, the Victim Advocate, the Secretary of Public Welfare, the Secretary of Education, the Secretary of Health, the chairman of the Pennsylvania Board of Probation and Parole, and the executive director of the Juvenile Court Judges' Commission.

**Pennsylvania Commission on Sentencing**

The Pennsylvania Commission on Sentencing was created in 1978 for the primary purpose of creating a consistent and rational statewide sentencing policy to promote fairer and more uniform sentencing practices in Pennsylvania. Since 1986 the sentencing commission has been designated as a legislative service agency. Provisions of law relating to the sentencing commission are found in 42 Pa.C.S. §§2151-2156.

**Legislative history**

Last session the House of Representatives passed the legislation as House Bill 1145 adding the executive director of the sentencing commission and House Bill 1426 providing for members to have delegates represent them at meetings. The Senate Judiciary Committee reported House Bill 1145 from committee as amended with the substance of House Bill 1426. The Senate tabled House Bill 1145.