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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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SENATE BILL

No. 1228 Session of  
2022

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INTRODUCED BY BAKER, SANTARSIERO, COSTA, PHILLIPS-HILL,  
BARTOLOTTA, FONTANA, COLLETT, A. WILLIAMS, GORDNER,  
CAPPELLETTI, LAUGHLIN, KEARNEY, MENSCH, KANE AND SCHWANK,  
MAY 9, 2022

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REFERRED TO JUDICIARY, MAY 9, 2022

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AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the  
2 Pennsylvania Consolidated Statutes, in juvenile matters,  
3 further providing for limitation on and change in place of  
4 commitment.

5 The General Assembly of the Commonwealth of Pennsylvania  
6 hereby enacts as follows:

7 Section 1. Section 6353 heading and (a) of Title 42 of the  
8 Pennsylvania Consolidated Statutes are amended and the section  
9 is amended by adding a subsection to read:

10 § 6353. Limitation on and change in place of commitment and  
11 disposition review hearing.

12 (a) General rule.--No child shall initially be committed to  
13 an institution for a period longer than four years or a period  
14 longer than he could have been sentenced by the court if he had  
15 been convicted of the same offense as an adult, whichever is  
16 less. The initial commitment may be extended for a similar  
17 period of time, or modified, if the court finds after hearing  
18 that the extension or modification will effectuate the original

1 purpose for which the order was entered. The child shall have  
2 notice of the extension or modification hearing and shall be  
3 given an opportunity to be heard. [The committing court shall  
4 review each commitment every six months and shall hold a  
5 disposition review hearing at least every nine months.]

6 (a.1) Disposition review hearings.--

7 (1) The court shall hold a disposition review hearing at  
8 least every three months in accordance with the Pennsylvania  
9 Rules of Juvenile Court Procedure for the purpose of ensuring  
10 that each child committed to out-of-home placement under  
11 section 6352 (relating to disposition of delinquent child) is  
12 receiving necessary services and treatment and that the terms  
13 and conditions of the disposition ordered under section 6352  
14 are being met.

15 (2) At a disposition review hearing under paragraph (1),  
16 the court shall, at a minimum, determine:

17 (i) whether the child is receiving the necessary  
18 services or treatment contemplated by the court's  
19 disposition;

20 (ii) whether the child continues to pose a threat to  
21 the community;

22 (iii) whether additional services or treatment are  
23 needed;

24 (iv) whether the child should continue in placement  
25 or be released from placement under aftercare  
26 supervision; and

27 (v) the date of the next disposition review hearing.

28 (3) At the conclusion of a disposition review hearing  
29 under paragraph (1), and prior to entering an order, the  
30 court shall state the determinations required under paragraph

1     (2), along with the reason for each determination, on the  
2     record in open court.

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4     Section 2. This act shall take effect in 60 days.