
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 197 Session of
2023

INTRODUCED BY BARTOLOTTA, HAYWOOD, SCHWANK, KANE, DILLON AND
CAPPELLETTI, JANUARY 19, 2023

REFERRED TO JUDICIARY, JANUARY 19, 2023

A JOINT RESOLUTION

1 Proposing an amendment to the Constitution of the Commonwealth
2 of Pennsylvania, further providing for pardoning power and
3 Board of Pardons.

4 The General Assembly of the Commonwealth of Pennsylvania
5 hereby resolves as follows:

6 Section 1. The following amendment to the Constitution of
7 Pennsylvania is proposed in accordance with Article XI:

8 That section 9(a) of Article IV be amended to read:

9 § 9. Pardoning power; Board of Pardons.

10 (a) In all criminal cases except impeachment the Governor
11 shall have power to remit fines and forfeitures, to grant
12 reprieves, commutation of sentences and pardons; but no pardon
13 shall be granted, nor sentence commuted, except on the
14 recommendation in writing of a majority of the Board of Pardons,
15 and, in the case of a sentence of death or life imprisonment, on
16 the [unanimous] recommendation in writing of four-fifths of the
17 Board of Pardons, after full hearing in open session, upon due
18 public notice. The recommendation, with the reasons therefor at

1 length, shall be delivered to the Governor and a copy thereof
2 shall be kept on file in the office of the Lieutenant Governor
3 in a docket kept for that purpose.

4 * * *

5 Section 2. The following procedure applies to the proposed
6 constitutional amendment in this joint resolution:

7 (1) Upon the first passage by the General Assembly of
8 the amendment, the Secretary of the Commonwealth shall
9 proceed immediately to comply with the advertising
10 requirements of section 1 of Article XI of the Constitution
11 of Pennsylvania.

12 (2) Upon the second passage by the General Assembly of
13 the amendment, the Secretary of the Commonwealth shall
14 proceed immediately to comply with the advertising
15 requirements of section 1 of Article XI of the Constitution
16 of Pennsylvania. The Secretary of the Commonwealth shall
17 submit the amendment to the qualified electors of this
18 Commonwealth at the first primary, general or municipal
19 election which meets the requirements of section 1 of Article
20 XI of the Constitution of Pennsylvania.