

**House Judiciary Committee Voting Meeting**  
**Majority Caucus Room**  
**Room 140 Main Capitol**  
**Harrisburg, PA 17120**  
**January 28, 2026**  
**10:30 AM**

**Agenda**

**House Bill 1671 (RABB)** An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in sentencing, further providing for sentencing generally and providing for restorative justice.

**A02359 (BRIGGS)**

**House Bill 1750 (MARKOSEK)** An Act providing for disclosure of cremation services for deceased animals, for distribution and certification, for required notices, for holding facility standards, for recordkeeping requirements, and for enforcement; and imposing penalties.

**A02148 (BRIGGS)**

**House Bill 2018 (HANBIDGE)** An Act amending Titles 18 (Crimes and Offenses) and 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, further providing for the disclosure of certain criminal history record information and certain information related to abuse to the Domestic Violence Fatality Review Board and to any domestic violence fatality review team; and establishing the Domestic Violence Fatality Review Program.

**House Bill 2154 (BRIGGS)** An Act amending Title 61 (Prisons and Parole) of the Pennsylvania Consolidated Statutes, establishing the Prison Industry Enhancement Authority; providing for employment of incarcerated individuals by private industry and for subcontracts with correctional agencies; establishing guidelines for incarcerated individual compensation; and providing for location of private sector prison industry.

**House Resolution 63 (KHAN)** A Resolution directing the Joint State Government Commission to study diversion programs and make recommendations for improving existing diversion programs and establishing new diversion programs.

**House Resolution 386 (YOUNG)** A Resolution recognizing the month of January 2026 as "Human Trafficking Awareness Month" in Pennsylvania.

**And any other business that comes before the Committee**

**Adjournment**

Please advise Maya Fitterer, MFitterer@pahouse.net, with your attendance plans. Thank you!

**Attachments:**

- Sunshine Memo
- HB1671
- A02359 to HB1671
- HB1671 BA
- HB1750
- A02148 to HB1750
- HB1750 BA
- HB2018

- HB2018 BA
- HB2154
- HB2154 BA
- HR63
- HR63 BA
- HR386
- HR386 BA

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**House of Representatives**  
COMMONWEALTH OF PENNSYLVANIA  
HARRISBURG

January 23, 2026

TO: House Judiciary Committee Members  
FROM: Tim Briggs, Majority Chairman  
RE: **Voting Meeting**

The House Judiciary Committee will hold a **voting meeting** on **Wednesday, January 28, 2026, at 10:30 a.m.** in **140 Main Capitol Building**. The Committee is scheduled to consider the following:

**House Bill 1671 (Rabb)** Amends Title 42 (Judiciary and Judicial Procedure) in sentencing, further providing for sentencing generally and providing for restorative justice.

**A02359 (Briggs)**

**House Bill 1750 (Markosek)** An Act providing for disclosure of cremation services for deceased animals, for distribution and certification, for required notices, for holding facility standards, for record keeping requirements, and for enforcement; and imposing penalties.

**A02148 (Briggs)**

**House Bill 2018 (Hanbridge/Shusterman)** Amends Titles 18 (Crimes and Offenses) and 23 (Domestic Relations), further providing for the disclosure of certain criminal history record information and certain information related to abuse to the Domestic Violence Fatality Review Board and to any domestic violence fatality review team; and establishing the Domestic Violence Fatality Review Program.

**House Bill 2154 (Briggs)** Amends Title 61 (Prisons and Parole) establishing the Prison Industry Enhancement Authority; providing for employment of incarcerated individuals by private industry and for subcontracts with correctional agencies; establishing guidelines for incarcerated individual compensation; and providing for location of private sector prison industry.

**House Resolution 63 (Khan)** A Resolution directing the Joint State Government Commission to study diversion programs and make recommendations for improving existing diversion programs and establishing new diversion programs.

**House Resolution 386 (Young)** A Resolution recognizing the month of January 2026 as "Human Trafficking Awareness Month" in Pennsylvania.

**And any other business that comes before the committee.**

Please advise Maya Fitterer, MFitterer@pahouse.net, with your attendance plans. Thank you!

**COMMITTEES**

JUDICIARY, CHAIRMAN

**CAUCUSES**

LIFE SCIENCE, CHAIR  
BRAIN INJURY, CHAIR

PENNSYLVANIA STATE SYSTEM OF HIGHER EDUCATION (PASSHE), BOARD OF GOVERNORS

PENNSYLVANIA COMMISSION ON CRIME & DELINQUENCY (PCCD), COMMISSIONER

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

## HOUSE BILL

No. 1671 Session of  
2025INTRODUCED BY RABB, D. WILLIAMS, KRAJEWSKI, HILL-EVANS, SANCHEZ,  
RIVERA AND MAYES, JUNE 25, 2025

REFERRED TO COMMITTEE ON JUDICIARY, JUNE 26, 2025

## AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the  
2 Pennsylvania Consolidated Statutes, in sentencing, further  
3 providing for sentencing generally and providing for  
4 restorative justice.

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

7 Section 1. Section 9721(a) of Title 42 of the Pennsylvania  
8 Consolidated Statutes is amended by adding a paragraph to read:  
9 § 9721. Sentencing generally.

10 (a) General rule.--In determining the sentence to be imposed  
11 the court shall, except as provided in subsection (a.1),  
12 consider and select one or more of the following alternatives,  
13 and may impose them consecutively or concurrently:

14 \* \* \*

15 (8) Restorative justice.

16 \* \* \*

17 Section 2. Title 42 is amended by adding a section to read:  
18 § 9726.1. Restorative justice.

19 (a) Restorative justice as exclusive sentence.--The court

1 may sentence a defendant to undergo restorative justice  
2 exclusively if the court, after considering the nature and  
3 circumstances of the crime committed by the defendant and the  
4 history and character of the defendant, determines that  
5 restorative justice alone is appropriate.

6 (b) Restorative justice as additional sentence.--The court  
7 may sentence a defendant to undergo restorative justice in  
8 addition to another sentence, involving total or partial  
9 confinement or probation, if the court determines that  
10 restorative justice is specially adapted to the deterrence of  
11 the crime involved or the correction of the defendant.

12 (c) Definitions.--As used in this section, the following  
13 words and phrases shall have the meanings given to them in this  
14 subsection unless the context clearly indicates otherwise:

15 "Circle." A versatile restorative practice that can be used:

16 (1) proactively to develop relationships and build  
17 community; or

18 (2) reactively to respond to wrongdoing, conflicts and  
19 problems.

20 "Conference." A structured meeting among individuals who  
21 have caused harm, individuals who have been harmed and the  
22 family and friends of these individuals, in which they deal with  
23 the consequences of a crime or wrongdoing and decide how best to  
24 repair the harm.

25 "Facilitator." An individual who is trained to facilitate a  
26 restorative justice practice.

27 "Restorative justice." A gathering, such as a conference or  
28 circle, in which individuals who have caused harm, individuals  
29 who have been harmed, community stakeholders and a facilitator  
30 collectively gather to identify and repair the harm to the

1 extent possible, address trauma, reduce the likelihood of  
2 further harm and strengthen community ties by focusing on the  
3 needs and obligations of all parties involved through a  
4 participatory process.

5 Section 3. This act shall take effect in 60 days.

**LEGISLATIVE REFERENCE BUREAU**

## AMENDMENTS TO HOUSE BILL NO. 1671

Sponsor: Briggs

Printer's No. 2040

1 Amend Bill, page 1, lines 1 through 19; page 2, lines 1  
2 through 30; page 3, lines 1 through 5; by striking out all of  
3 said lines on said pages and inserting

4 Amending Title 42 (Judiciary and Judicial Procedure) of the  
5 Pennsylvania Consolidated Statutes, in commencement of  
6 proceedings, providing for restorative justice.

7 The General Assembly of the Commonwealth of Pennsylvania hereby  
8 enacts as follows:

9 Section 1. Chapter 89 of Title 42 of the Pennsylvania  
10 Consolidated Statutes is amended by adding a subchapter to read:

SUBCHAPTER ERESTORATIVE JUSTICE

13 Sec.

14 8961. Definitions.

15 8962. Restorative justice.

16 § 8961. Definitions.

17 The following words and phrases when used in this subchapter  
18 shall have the meanings given to them in this section unless the  
19 context clearly indicates otherwise:

20 "Accountability." The active process that is undertaken by  
21 an individual who caused harm to demonstrate remorse in  
22 practice.

23 "Community conference." A consensual healing dialogue  
24 organized to address the experience and needs of all parties  
25 involved, as it relates to the impact of criminal acts committed  
26 by an offender, to provide a restorative plan to heal and repair  
27 harm.

28 "Consensual healing dialogue." A voluntary process through  
29 which parties repair the harm caused by the offender and within  
30 the offender by using restorative justice practices and a  
31 restorative plan, avoiding the involvement of the criminal  
32 justice system.

33 "Facilitator." A practitioner of restorative justice who  
34 enters into the restorative justice process under section  
35 8962(c) (relating to restorative justice).

36 "Restorative justice." A program which emphasizes repairing  
37 the harm done to individuals and the community at large by the

1       criminal act committed by an offender. The term includes:

- 2        (1) Community conferences.
- 3        (2) Conflict resolution.
- 4        (3) Counseling.
- 5        (4) Community service.
- 6        (5) Victim-offender conferences.
- 7        (6) Victim-offender mediation.
- 8        (7) Family or group decision-making conferences.
- 9        (8) Victim impact panels.

10      § 8962. Restorative justice.

11      (a) Findings.--The General Assembly finds and declares as  
12      follows:

13        (1) Restorative justice is an effective alternative to  
14        sentencing individuals who have committed a crime by  
15        providing an opportunity for the offender to accept  
16        accountability and responsibility for the harm caused and to  
17        engage with victims and the community to repair the harm.

18        (2) Restorative justice has been shown to prevent  
19        further criminal activity by offenders.

20        (3) It is the policy of this Commonwealth that  
21        restorative justice be used whenever possible to:

22            (i) Resolve conflicts and disputes by means of a  
23            nonadversarial community process.

24            (ii) Ensure that offenders are diverted from and  
25            held accountable outside of the criminal justice system.

26            (iii) Encourage the healing of all parties affected  
27            by crime.

28        (b) Restorative justice as pretrial diversion.--Subject to  
29        subsection (c), a district attorney, judge or hearing officer  
30        shall use restorative justice as a pretrial diversion for any  
31        offender, including individuals charged with low-level  
32        nonviolent offenses, first-time offenders, minors, students and  
33        individuals with documented educational needs or a diagnosis  
34        under the Diagnostic and Statistical Manual of Mental Disorders,  
35        5th Edition: DSM-5, 2013, published by the American Psychiatric  
36        Association.

37        (c) Consent by all parties.--Except for offenses under 18  
38        Pa.C.S. § 4952 (relating to intimidation of witnesses or  
39        victims), restorative justice may be used as a pretrial  
40        diversion if the district attorney, offender and victim of the  
41        offender each agree to enter into the restorative justice  
42        process under subsection (a) with a facilitator.

43        (d) Restorative justice process.--The restorative justice  
44        process consented to under subsection (c) shall include a  
45        restorative plan to repair the harm which is agreed to by all  
46        parties and a time limit for completion of the plan.

47        (e) Confidentiality.--

48            (1) Except as provided under paragraph (2), all  
49            memoranda, work notes or products, case files or programs,  
50            data and communications related to the restorative justice  
51            process are confidential and shall not be subject to

1 disclosure in any judicial or administrative proceeding  
2 unless all parties to the communication waive the privilege.  
3 (2) Confidentiality under paragraph (1) shall not apply:  
4 (i) If an offender commits a chargeable offense  
5 during the restorative justice process that goes beyond  
6 the scope of subsection (b).  
7 (ii) To any communication related to the mandatory  
8 reporting of child abuse or neglect.

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

# HOUSE OF REPRESENTATIVES

## DEMOCRATIC COMMITTEE BILL ANALYSIS

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<b>Bill No:</b>	HB1671 PN2040	<b>Prepared By:</b>	Marissa Itterly (717) 705-1880,6312
<b>Committee:</b>	Judiciary	<b>Executive Director:</b>	David Vitale, Esq.
<b>Sponsor:</b>	Rabb, Chris and Williams, Dan		
<b>Date:</b>	7/22/2025		

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### **A. Brief Concept**

Establishes a restorative justice option in the Pennsylvania court system.

### **C. Analysis of the Bill**

The bill amends Title 42 (Judiciary and Judicial Procedure), § 9721 (Sentencing Generally), to add § 9726.1 (Restorative Justice), to allow for restorative justice to be an exclusive sentence if the court, after considering the nature and circumstances of the crime committed by the defendant and the defendant's history and character, determines that restorative justice alone is appropriate. The court is also allowed to sentence a defendant to undergo restorative justice in addition to another sentence involving total or partial confinement or probation if it determines that restorative justice is specially adapted to the deterrence of the crime involved or the correction of the defendant.

The bill includes the following definitions:

**"Circle."** A versatile restorative practice that can be used proactively to develop relationships and build community or reactively to respond to wrongdoing, conflicts, and problems.

**"Conference."** A structured meeting among individuals who have caused harm, individuals who have been harmed, and the family and friends of these individuals, in which they deal with the consequences of a crime or wrongdoing and decide how best to repair the harm.

**"Facilitator."** An individual who is trained to facilitate a restorative justice practice.

**"Restorative justice."** A gathering, such as a conference or circle, in which individuals who have caused harm, individuals who have been harmed, community stakeholders, and a facilitator collectively gather to identify and repair the harm to the extent possible, address trauma, reduce the likelihood of further harm and strengthen community ties by focusing on the needs and obligations of all parties involved through a participatory process.

### **Effective Date:**

60 Days.

### **G. Relevant Existing Laws**

Current law does not include restorative justice as a sentencing option.

### **E. Prior Session (Previous Bill Numbers & House/Senate Votes)**

This bill (HB 1849 of 2023) passed the House Judiciary Committee 15-10 on June 27, 2024. Rep. Schemel (R) voted with the majority.

THE GENERAL ASSEMBLY OF PENNSYLVANIA

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# HOUSE BILL

No. 1750 Session of  
2025

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INTRODUCED BY MARKOSEK, BENHAM, BERNSTINE, STEELE, SANCHEZ,  
FRANKEL, PROBST, INGLIS, CONKLIN AND CIRESI, JULY 17, 2025

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REFERRED TO COMMITTEE ON JUDICIARY, JULY 21, 2025

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AN ACT

1 Providing for disclosure of cremation services for deceased  
2 animals, for distribution and certification, for required  
3 notices, for holding facility standards, for recordkeeping  
4 requirements, and for enforcement; and imposing penalties.

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

7 Section 1. Short title.

8 This act shall be known and may be cited as the Companion  
9 Animal Cremation Consumer Protection Act.

10 Section 2. Definitions.

11 The following words and phrases when used in this act shall  
12 have the meanings given to them in this section unless the  
13 context clearly indicates otherwise:

14 "Animal." A deceased animal that had a companion or pet  
15 relationship with its owner at the time of the animal's death.

16 "Cremated remains." The material remaining after the  
17 cremation of an animal, which may include bone fragments and  
18 residue resulting from the cremation process, and which may be  
19 pulverized or otherwise processed by the cremation provider.

1        "Funeral director." A licensed funeral director as defined  
2 in 49 Pa. Code § 13.1 (relating to definitions).

3        "Holding facility." An area designated for the retention of  
4 animal remains prior to cremation that meets the standards under  
5 section 6.

6        "Pet shop." A person or facility that offers animals for  
7 sale on a retail basis to be kept as household companions or  
8 pets.

9        "Provider." A person or entity that engages in the business  
10 of cremating deceased animals in this Commonwealth.

11        "Veterinarian." An individual licensed to practice  
12 veterinary medicine and surgery under the laws of this  
13 Commonwealth or another state.

14 Section 3. Disclosure of cremation services.

15        (a) Description.--A provider shall furnish a written  
16 description of available cremation services, without charge, to  
17 each of the following:

18                (1) The owner of a deceased animal, or another person  
19 acting on the owner's behalf, who arranges for cremation  
20 services.

21                (2) A veterinarian, pet shop, funeral director or other  
22 person who refers animal owners or delivers deceased animals  
23 to the provider more than five times in a calendar year.

24                (3) The Department of Agriculture.

25                (4) Any other person upon request.

26        (b) Form and content.--The written description of services  
27 shall:

28                (1) be provided in printed form, such as a brochure;  
29                (2) be available in quantities sufficient to allow for  
30 distribution to animal owners referred or served by the

1 provider; and

2 (3) contain a detailed and clear explanation of each  
3 cremation service offered.

4 (c) Prohibited content.--The written description of services  
5 may not contain information that is unclear or misleading. A  
6 description is misleading if the description:

7 (1) fails to include a complete and accurate explanation  
8 of each cremation service or omits a required disclosure  
9 under this act; or

10 (2) includes text, illustrations, layout or formatting  
11 that causes confusion about the nature of the services or  
12 obstructs important disclosures.

13 Section 4. Distribution and certification.

14 (a) Distribution by intermediaries.--A veterinarian, pet  
15 shop, funeral director or other person who refers animal owners  
16 or accepts deceased animals for cremation more than five times  
17 in a calendar year shall provide a copy of the provider's  
18 written description of services to the animal owner, or to a  
19 person acting on the owner's behalf, at the time of referral or  
20 acceptance.

21 (b) Timing of distribution.--A copy of the provider's  
22 written description of services shall be given to the animal  
23 owner, or to a person acting on the owner's behalf, at the time  
24 cremation services are authorized.

25 (c) Certification by provider.--If cremation services  
26 include the return of cremated remains, the provider shall  
27 include with the returned cremated remains a certification  
28 stating that, to the best of the provider's knowledge and  
29 belief, and except as otherwise indicated on the certificate,  
30 the cremation and related services were performed in accordance

1 with the provider's written description of services.

2 (d) Certification by intermediary.--If a veterinarian, pet  
3 shop, funeral director or other person is responsible for  
4 returning cremated remains to the animal owner, the  
5 veterinarian, pet shop, funeral director or other person shall  
6 provide all of the following:

7 (1) The provider's certification under subsection (c).

8 (2) A second certification stating that, to the best of  
9 the intermediary's knowledge and belief, and except as  
10 otherwise indicated on the certificate, the returned remains  
11 are those of the animal owner's deceased animal and were  
12 returned in accordance with the provider's representations.

13 (e) Reliance on documentation.--A veterinarian, pet shop,  
14 funeral director or other person subject to subsection (d) may  
15 rely in good faith on the documentation and representations  
16 provided by the provider and is not required to observe the  
17 cremation process.

18 Section 5. Required notices.

19 (a) Written notice of rights.--At the time the written  
20 description of services is provided under section 3 or 4, the  
21 provider or intermediary shall furnish to the animal owner, or  
22 to a person acting on the owner's behalf, a written notice  
23 specifying the rights provided under this act. The notice shall  
24 include the following statement, presented in a clear and  
25 conspicuous manner:

26 THIS DISCLOSURE OF RIGHTS IS A SUMMARY OF PENNSYLVANIA  
27 LAW. THE ACTUAL PROVISIONS OF THE LAW ARE SET FORTH IN  
28 THE COMPANION ANIMAL CREMATION CONSUMER PROTECTION ACT.

29 (b) Posted summary.--A summary of the provisions of this act  
30 shall be conspicuously posted at each place of business of a

1 provider, veterinarian, pet shop, funeral director or other  
2 person subject to this act. The summary shall also state that  
3 the provider's written description of services is available upon  
4 request.

5 (c) Mandatory disclosures.--The written description of  
6 services provided under section 3 or 4 shall include all of the  
7 following:

8 (1) A clear explanation of each cremation option  
9 offered, including the following:

10 (i) Private cremation explained as the cremation of  
11 a single animal in a clean, empty chamber, with the  
12 cremated remains returned exclusively to the owner.

13 (ii) Individual-partitioned cremation explained as  
14 the cremation of multiple animals in the same chamber  
15 using physical barriers or designated spaces to maintain  
16 separation, with cremated remains returned to each owner.

17 (iii) Communal cremation explained as the cremation  
18 of multiple animals simultaneously in a single chamber  
19 without separation. No cremated remains are returned to  
20 the owner.

21 (2) The date the cremation was completed.

22 (3) A statement that the cremation was conducted in  
23 accordance with prevailing industry standards or best  
24 practices and in compliance with applicable Federal and State  
25 public health laws.

26 Section 6. Holding facility standards.

27 (a) Duty of providers.--A provider shall ensure that a  
28 holding facility used to retain the remains of animals prior to  
29 cremation complies with the standards specified under subsection  
30 (b).

1       (b) Standards.--A holding facility shall meet all of the  
2 following standards:

3               (1) Protect the health of personnel responsible for  
4 handling animal remains and comply with applicable Federal  
5 and State public health laws.

6               (2) Preserve the dignity of the animal remains.

7 Section 7. Recordkeeping requirements.

8       (a) Records required.--A provider shall maintain complete  
9 and accurate records for each cremation performed. The records  
10 shall be retained for a period of not less than five years and  
11 shall include all of the following:

12               (1) A cremation authorization form signed by the animal  
13 owner or by a person authorized to act on the owner's behalf.

14               (2) Identification records, including tags, labels or  
15 tracking documentation used to identify the cremated remains.

16               (3) A cremation service log documenting the date of  
17 cremation, the method of cremation and the name of the  
18 operator or entity that performed the cremation.

19       (b) Confidentiality.--A provider shall implement and  
20 maintain reasonable procedures to ensure the confidentiality and  
21 security of client records, including personally identifying  
22 information related to the animal owner or the deceased animal.

23 Section 8. Enforcement and penalties.

24       (a) Authority of Attorney General.--A violation of this act  
25 shall constitute a violation of the act of December 17, 1968  
26 (P.L.1224, No.387), known as the Unfair Trade Practices and  
27 Consumer Protection Law. The Office of Attorney General shall  
28 have all powers and duties under that act necessary to enforce  
29 this act.

30       (b) Prohibited conduct.--A person may not engage in any of

1 the following:

2 (1) Prepare or distribute a written description of  
3 services that the person knows or reasonably should know is  
4 false, misleading or otherwise not in compliance with this  
5 act.

6 (2) Intentionally fail to provide a written description  
7 of services, notice of rights or certification as required  
8 under this act.

9 (3) Knowingly make a false certification under section  
10 4.

11 (4) Violate the holding facility standards under section  
12 6.

13 (5) Fail to maintain or secure records as required under  
14 section 7.

15 (c) Licensure consequences.--If a person required to be  
16 licensed or certified by a Commonwealth agency commits a  
17 violation of this act, the appropriate licensing board or  
18 licensing commission or regulatory authority may suspend, revoke  
19 or impose conditions on the person's license or certification,  
20 in accordance with applicable State law.

21 (d) Written warning.--The Office of Attorney General may  
22 issue a written warning letter to any person engaged in a  
23 violation of this act.

24 Section 9. Effective date.

25 This act shall take effect in 60 days.

**LEGISLATIVE REFERENCE BUREAU**

## AMENDMENTS TO HOUSE BILL NO. 1750

Sponsor: Briggs

Printer's No. 2155

1 Amend Bill, page 1, lines 1 through 19; pages 2 through 6,  
2 lines 1 through 30; page 7, lines 1 through 25; by striking out  
3 all of said lines on said pages and inserting  
4 Providing for disclosure of cremation services for deceased  
5 animals, for distribution and certification, for required  
6 notices, for holding facility standards, for recordkeeping  
7 requirements and for enforcement; and imposing penalties.  
8 The General Assembly of the Commonwealth of Pennsylvania hereby  
9 enacts as follows:

## 10 Section 1. Short title.

11 This act shall be known and may be cited as the Companion  
12 Animal Cremation Consumer Protection Act.

## 13 Section 2. Definitions.

14 The following words and phrases when used in this act shall  
15 have the meanings given to them in this section unless the  
16 context clearly indicates otherwise:

17 "Cremated remains." The material remaining after the  
18 cremation of a deceased animal, which may include bone fragments  
19 and residue resulting from the cremation process, and that may  
20 be pulverized or otherwise processed by the cremation provider.

21 "Cremation provider." A person or entity that engages in the  
22 business of cremating deceased animals in this Commonwealth.

23 "Deceased animal." A deceased animal that had a companion or  
24 pet relationship with its owner at the time of the animal's  
25 death.

26 "Funeral director." A licensed funeral director as defined  
27 in 49 Pa. Code § 13.1 (relating to definitions).

28 "Holding facility." An area designated for the retention of  
29 animal remains prior to cremation that meets the standards under  
30 section 5.

31 "Improper handling." The term shall include:

32 (1) Commingling of remains without disclosure to the  
33 consumer.

34 (2) Misrepresentation of cremation services provided.

35 (3) Improperly disposing of the deceased animal remains  
36 through a process other than the chosen process of cremation.

37 "Intermediary." A veterinarian, pet shop, funeral director

1 or other person that refers business to a cremation provider for  
2 monetary compensation through a business relationship in which  
3 entities share profits as compensation through an ongoing  
4 financially beneficial relationship between the business and the  
5 cremation provider. The term shall include businesses that  
6 financially benefit through the transportation of deceased  
7 animals to cremation providers.

8 "Pet shop." A person or facility that offers animals for  
9 sale on a retail basis to be kept as animal companions or pets.

10 Section 3. Disclosure of cremation services.

11 (a) Description.--A cremation provider shall furnish, free  
12 of charge, a written description of available cremation services  
13 to each of the following:

14 (1) The owner of a deceased animal, or another person  
15 acting on the owner's behalf, who arranges for cremation  
16 services.

17 (2) An intermediary.

18 (3) Any other person upon request.

19 (b) Form and content.--The written description of services  
20 shall be presented to the animal owner, or a person acting on  
21 the owner's behalf, and posted on the cremation provider's  
22 publicly accessible Internet website, if a website exists, or an  
23 alternative online consumer-facing portal. A cremation provider  
24 shall inform the owner of a deceased animal, or a person acting  
25 on the owner's behalf, that the written description of services  
26 is posted on the provider's publicly accessible Internet website  
27 or an alternative online consumer-facing portal. The printed  
28 form shall:

29 (1) contain the business name of the cremation provider;  
30 and

31 (2) contain a detailed and clear explanation of each  
32 cremation service offered, including the following:

33 (i) Private cremation explained as the cremation of  
34 a single deceased animal in a clean, empty chamber, with  
35 the cremated remains returned exclusively to the owner.

36 (ii) Individual-partitioned cremation explained as  
37 the cremation of multiple deceased animals in the same  
38 chamber using physical barriers or designated spaces to  
39 maintain separation, with cremated remains returned to  
40 each owner.

41 (iii) Communal cremation explained as the cremation  
42 of multiple deceased animals in the same chamber without  
43 effective partitions or separation during the cremation  
44 process such that the commingling of significant amounts  
45 of cremated remains from different deceased animals is  
46 likely or certain to occur and cremated remains cannot be  
47 returned to each owner.

48 (c) Inclusion of prices.--The written description required  
49 under subsection (a) is not required to include prices.

50 Section 4. Distribution and certification.

51 (a) Distribution by intermediaries.--An intermediary shall

1 provide a copy of the cremation provider's written description  
2 of services to the animal owner, or to a person acting on the  
3 owner's behalf, when the owner, or the person acting on the  
4 owner's behalf, engages in aftercare discussion with the  
5 intermediary.

6 (b) Timing of distribution.--For an animal owner or a person  
7 acting on the owner's behalf who does not use an intermediary, a  
8 copy of the cremation provider's written description of services  
9 shall be provided to the animal owner, or to a person acting on  
10 the owner's behalf, when the owner, or the person acting on the  
11 owner's behalf, engages in aftercare discussion with the  
12 cremation provider.

13 (c) Certification by cremation provider.--If cremation  
14 services include the return of cremated remains, the cremation  
15 provider shall include with the returned cremated remains a  
16 certification, including the following:

17 (1) A statement that, to the best of the cremation  
18 provider's knowledge and belief, and except as otherwise  
19 indicated on the certificate, the returned remains are those  
20 of the animal owner's deceased animal and the cremation and  
21 related services were performed in accordance with the  
22 cremation provider's written description of services, as  
23 authorized by the animal owner or another person acting on  
24 the owner's behalf.

25 (2) The date the cremation was completed.

26 (3) The type of cremation performed.

27 (d) Certification by intermediary.--If an intermediary is  
28 responsible for returning cremated remains to the animal owner,  
29 the intermediary shall provide the cremation provider's  
30 certification under subsection (c).

31 (e) Record retention.--A cremation provider shall provide  
32 the certification under subsection (c)(1) to the referring  
33 intermediary for the purposes of record retention.

34 (f) Cremation approval required.--A cremation provider may  
35 not cremate the remains of a deceased animal unless the owner of  
36 the deceased animal, or a person acting on the owner's behalf,  
37 has provided approval for the cremation to the applicable  
38 intermediary or directly to the cremation provider. If the  
39 owner, or person acting on the owner's behalf, cannot be reached  
40 after reasonable attempts, the cremation provider may move  
41 forward with cremation in accordance with its established  
42 procedures.

#### 43 Section 5. Holding facility standards.

44 (a) Duty of providers.--A cremation provider or intermediary  
45 shall ensure that a holding facility used to retain the remains  
46 of deceased animals prior to cremation complies with the  
47 standards specified under subsection (b).

48 (b) Standards.--A holding facility shall meet all of the  
49 following standards:

50 (1) Protect the health of personnel responsible for  
51 handling animal remains and comply with applicable Federal

1 and State public health laws.

2 (2) Preserve the dignity of the animal remains.

3 (c) Refrigeration or freezer unit.--

4 (1) An animal's remains must be placed into  
5 refrigeration within 48 hours of receiving the remains.

6 (2) If refrigeration is not available, an animal's body  
7 must be cremated or moved to refrigeration at a different  
8 facility within 48 hours of receipt.

9 (d) Records required.--A cremation provider and intermediary  
10 shall maintain complete and accurate records for each cremation  
11 performed. The records shall be retained for a period of not  
12 less than three years and shall include all of the following:

13 (1) Identification records used to identify the cremated  
14 remains.

15 (2) A cremation service log documenting the date of  
16 cremation, the method of cremation and the name of the  
17 operator or entity that performed the cremation.

18 (e) Confidentiality.--A cremation provider and intermediary  
19 shall implement and maintain reasonable procedures to ensure the  
20 confidentiality and security of client records, including  
21 personally identifying information related to the animal owner  
22 and the deceased animal.

23 Section 6. Enforcement and penalties.

24 (a) Authority of Attorney General and district attorneys.--A  
25 violation of this act shall constitute a violation of the act of  
26 December 17, 1968 (P.L.1224, No.387), known as the Unfair Trade  
27 Practices and Consumer Protection Law. The Office of Attorney  
28 General or the appropriate district attorney shall have all  
29 powers and duties under the Unfair Trade Practices and Consumer  
30 Protection Law necessary to enforce this act.

31 (b) Prohibited conduct.--A person may not engage in any of  
32 the following:

33 (1) Prepare or distribute a written description of  
34 services that the person knows or reasonably should know is  
35 false, misleading or otherwise not in compliance with this  
36 act.

37 (2) Intentionally fail to provide a written description  
38 of services, notice of rights or certification as required  
39 under this act.

40 (3) Knowingly make a false certification under section  
41 4.

42 (4) Violate the holding facility standards under section  
43 5.

44 (5) Fail to maintain or secure records as required under  
45 section 5.

46 (c) Written warning.--The Office of Attorney General or the  
47 appropriate district attorney may issue a written warning letter  
48 to any person engaged in a violation of this act.

49 Section 7. Due diligence and liability.

50 An intermediary acting in good faith shall not be liable for  
51 a facility's operations, provided that the intermediary:

(1) takes steps to verify that the operations of a cremation provider are accurately represented by the written description of service offered under section 3, including visiting the cremation provider to ensure that operations are occurring as described; and

(2) has no prior knowledge of a violation of this act as provided for under section 6(b).

## Section 8. Pet crematorium operations.

A person, partnership, corporation or other entity operating as a pet cremation provider that is convicted of two or more violations relating to the improper handling, storage or disposal of deceased animal remains shall be:

(1) subject to have their dead domestic animal disposal business license revoked or suspended by the Department of Agriculture; and

(2) permanently prohibited from holding, renewing or applying for a license to operate as a pet cremation provider in this Commonwealth.

## Section 9. Effective date.

This act shall take effect in 60 days.

# HOUSE OF REPRESENTATIVES

## DEMOCRATIC COMMITTEE BILL ANALYSIS

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**Bill No:** HB1750 PN2155  
**Committee:** Judiciary  
**Sponsor:** Markosek, Brandon  
**Date:** 8/4/2025

**Prepared By:** Michelle Batt, Esq.  
(717) 705-1880,6792  
**Executive Director:** David Vitale, Esq.

### **A. Brief Concept**

Providing a regulatory framework for the cremation of companion animals at funeral homes.

### **C. Analysis of the Bill**

**Creates the Companion Animal Cremation Consumer Protection Act, placing the following obligations on persons or entities that engage in the business of cremating deceased animals in this Commonwealth ("Provider"):**

- **Description of cremation services:** Providers are required to have and furnish clear and detailed written descriptions of their services, in printed form. The description may not contain information that is unclear or misleading. Information is unclear or misleading if it fails to include complete and accurate explanations of each cremation service, omits or obstructs the required disclosures, or creates confusion with illustration, layout or formatting choices. The description of services shall include a clear explanation of each cremation option offered, including the following:
  - Private cremation explained as the cremation of a single animal in a clean, empty chamber, with the cremated remains returned exclusively to the owner.
  - Individual-partitioned cremation explained as the cremation of multiple animals in the same chamber using physical barriers or designed spaces to maintain separation, with cremated remains returned to each owner
  - Communal cremation explained as the cremation of multiple animals simultaneously in a single chamber without separation. No cremated remains are returned to the owner.
- **Certification:** Following cremation services, providers are to issue a certificate stating that:
  1. To the best of the provider's knowledge and belief, the cremation and related services were performed in accordance with the provider's written description of services.
  2. The date the cremation was completed.
  3. A statement that the cremation was conducted in accordance with prevailing industry standards or best practices and in compliance with applicable Federal and State public health laws.
- **Required notices:**
  - At the time the description of services is provided, the provider shall furnish a written notice specifying the rights provided by this act. The notice shall include the following statement: THIS DISCLOSURE OF RIGHTS IS A SUMMARY OF PENNSYLVANIA LAW. THE ACTUAL PROVISIONS OF THE LAW ARE SET FORTH IN THE COMPANION ANIMAL CREMATION CONSUMER PROTECTION ACT.
  - A summary of the provisions of this act shall be conspicuously posted by the provider at their place of business. The summary shall also state that the provider's written description of services is available upon request.
- **Record keeping:** A provider shall maintain complete and accurate records for each cremation performed. The records shall be retained for a period of not less than five years and shall include all of the following:

1. A cremation authorization form signed by the animal owner or by a person authorized to act on the owner's behalf.
2. Identification records, including tags, labels or tracking documentation used to identify the cremated remains.
3. A cremation service log documenting the date of cremation, the method of cremation, and the name of the operator or entity that performed the cremation.

- **Confidentiality:** A provider shall implement and maintain reasonable procedures to ensure the confidentiality and security of client records, including personally identifying information related to the animal owner or the deceased animal.

**This Act would also place obligations and set standards for intermediaries and holding facilities as follows:**

"Intermediaries" are veterinarians, pet shops, funeral directors or other persons who refer animal owners or accept deceased animals for cremation more than five times in a calendar year.

- **Distribution of description of cremation services:** Intermediaries are required to provide a copy of the provider's written description of services to the animal owner, or to a person acting on the owner's behalf, at the time of referral or acceptance.
- **Certification:** If an intermediary is responsible for returning cremated remains to the animal owner, the intermediary shall provide:
  1. The provider's certification, and
  2. A second certification stating that, to the best of the intermediary's knowledge and belief, and except as otherwise indicated on the certificate, the returned remains are those of the animal owner's deceased animal and were returned in accordance with the provider's representations. An intermediary may rely on the provider's certification and is not required to observe the cremation process.
- **Required notices:**
  - If the intermediary furnishes the provider's written description of services, it shall also furnish a written notice specifying the rights provided by this act, including the following statement: THIS DISCLOSURE OF RIGHTS IS A SUMMARY OF PENNSYLVANIA LAW. THE ACTUAL PROVISIONS OF THE LAW ARE SET FORTH IN THE COMPANION ANIMAL CREMATION CONSUMER PROTECTION ACT.
  - A summary of the provisions of this act shall be conspicuously posted by the intermediary at their place of business. The summary shall also state that the provider's written description of services is available upon request.

"Holding facilities" are those designed for the retention of animal remains prior to cremation. A holding facility shall meet all of the following standards:

1. Protect the health of personnel responsible for handling animal remains and comply with applicable Federal and State public health laws.
2. Preserve the dignity of the animal remains.

**Enforcement:** The Office of the Attorney General is authorized to enforce the following prohibited conduct as a violation of the Unfair Trade Practices and Consumer Protection Law:

1. Prepare or distribute a written description of services that the person knows or reasonably should know is false, misleading or otherwise not in compliance with this act.
2. Intentionally fail to provide a written description of services, notice of rights or certification as required under this act.
3. Knowingly make a false certification
4. Violate the holding facility standards
5. Fail to maintain or secure records

The Office of the Attorney General may issue a written warning letter to any person engaged in a violation of this act.

Finally, a violation of this act may lead an appropriate licensing board, licensing commission or other regulatory authority to suspend, revoke or impose conditions on a person's license or certification.

**Definitions:**

"Animal." A deceased animal that had a companion or pet relationship with its owner at the time of the animal's death.

"Cremated remains." The material remaining after the cremation of an animal, which may include bone fragments and residue resulting from the cremation process, and which may be pulverized or otherwise processed by the cremation provider.

"Funeral director." A licensed funeral director as defined in 49 Pa. Code § 13.1 (relating to definitions).

"Pet shop." A person or facility that offers animals for sale on a retail basis to be kept as household companions or pets.

"Provider." A person or entity that engages in the business of cremating deceased animals.

"Veterinarian." An individual licensed to practice veterinary medicine and surgery under the laws of this Commonwealth or another state.

**Effective Date:**

60 Days.

**G. Relevant Existing Laws**

None.

**E. Prior Session (Previous Bill Numbers & House/Senate Votes)**

None.

This document is a summary of proposed legislation and is prepared only as general information for use by the Democratic Members and Staff of the Pennsylvania House of Representatives. The document does not represent the legislative intent of the Pennsylvania House of Representatives and may not be utilized as such.

THE GENERAL ASSEMBLY OF PENNSYLVANIA

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## HOUSE BILL

No. 2018 Session of  
2025

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INTRODUCED BY HANBIDGE, SHUSTERMAN, PROBST, T. DAVIS, WAXMAN,  
HILL-EVANS, FREEMAN, CONKLIN, KHAN, BOROWSKI, SANCHEZ,  
HOHENSTEIN, HOWARD, CEPEDA-FREYTIZ, INGLIS, D. WILLIAMS,  
FRANKEL AND BRIGGS, NOVEMBER 6, 2025

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REFERRED TO COMMITTEE ON JUDICIARY, NOVEMBER 12, 2025

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## AN ACT

1 Amending Titles 18 (Crimes and Offenses) and 23 (Domestic  
2 Relations) of the Pennsylvania Consolidated Statutes, further  
3 providing for the disclosure of certain criminal history  
4 record information and certain information related to abuse  
5 to the Domestic Violence Fatality Review Board and to any  
6 domestic violence fatality review team; and establishing the  
7 Domestic Violence Fatality Review Program.

8 The General Assembly of the Commonwealth of Pennsylvania  
9 hereby enacts as follows:

10 Section 1. Section 9104(d) of Title 18 of the Pennsylvania  
11 Consolidated Statutes is amended to read:

12 § 9104. Scope.

13 \* \* \*

14 (d) Certain disclosures authorized.--

15 (1) Nothing in this chapter shall prohibit a criminal  
16 justice agency from disclosing an individual's prior criminal  
17 activity to an individual or agency if the information  
18 disclosed is based on records set forth in subsection (a).

19 (2) Nothing in this chapter shall prohibit a criminal

1 justice agency from disclosing criminal history record  
2 information and intelligence information, investigative  
3 information, treatment information, including medical and  
4 psychological information, caution indicator information,  
5 modus operandi information, missing persons information,  
6 employment history information, personal history information  
7 or presentence investigative information to members of a  
8 Domestic Violence Fatality Review Board established under 23  
9 Pa.C.S. Ch. 68 (relating to Domestic Violence Fatality Review  
10 Program) and authorized under that chapter to investigate and  
11 analyze domestic violence-related fatalities.

12 \* \* \*

13 Section 2. Section 9121(b.1) of Title 18 is amended to read:

14 § 9121. General regulations.

15 \* \* \*

16 (b.1) Exception.--Subsection (b) (1) and (2) shall not apply

17 [if]:

18 (1) If the request is made by a county children and  
19 youth agency or the Department of Human Services in the  
20 performance of duties relating to children and youth under  
21 the act of June 24, 1937 (P.L.2017, No.396), known as the  
22 County Institution District Law, [section 2168 of the act of  
23 August 9, 1955 (P.L.323, No.130), known as The County Code,]  
24 16 Pa.C.S. § 15768 (relating to powers and duties of county  
25 commissioners relating to children), the act of June 13, 1967  
26 (P.L.31, No.21), known as the Human Services Code, 23 Pa.C.S.  
27 Ch. 63 (relating to child protective services) or 42 Pa.C.S.  
28 Ch. 63 (relating to juvenile matters).

29 (2) If the request is made by a domestic violence  
30 fatality review team or the Domestic Violence Fatality Review

Board established under 23 Pa.C.S. Ch. 68 (relating to Domestic Violence Fatality Review Program) and authorized under that chapter to investigate and analyze domestic violence-related fatalities.

\* \* \*

Section 3. Section 6340(a) of Title 23 is amended by adding paragraph to read:

5340. Release of information in confidential reports.

(a) General rule.--Reports specified in section 6339 relating to confidentiality of reports) shall only be made available to:

\* \* \*

(10.1) Members of a domestic violence fatality review team and members of the Domestic Violence Fatality Review Board established under Chapter 68 (relating to Domestic Violence Fatality Review Program) and authorized under that chapter to investigate and analyze domestic violence-related fatalities.

\* \* \*

Section 4. Title 23 is amended by adding a chapter to read:

CHAPTER 68

## DOMESTIC VIOLENCE FATALITY REVIEW PROGRAM

12

## 01. Scope of chapter.

## 02. Definitions.

### 03. Domestic Violence Fatality Review Program.

#### 04. Domestic violence fatality review teams.

## 05. Domestic Violence Fatality Review Board.

## 06. Access to records.

07 Confidentiality

1 6808. Penalties.

2 § 6801. Scope of chapter.

3 This chapter relates to domestic violence fatality review.

4 § 6802. Definitions.

5 The following words and phrases when used in this chapter  
6 shall have the meanings given to them in this section unless the  
7 context clearly indicates otherwise:

8 "Domestic Violence Fatality Review Board" or "board." A  
9 multidisciplinary, Statewide panel that advises domestic  
10 violence fatality review teams and recommends Statewide  
11 improvements in domestic violence investigation, intervention  
12 and prevention efforts.

13 "Domestic violence fatality review team" or "review team." A  
14 multidisciplinary team that reviews domestic violence-related  
15 fatalities in a local jurisdiction.

16 "Domestic violence-related fatality." A death resulting from  
17 or relating to an act of abuse as defined in section 6102  
18 (relating to definitions), including the fatality of a victim,  
19 perpetrator, family member, partner or bystander.

20 § 6803. Domestic Violence Fatality Review Program.

21 (a) Establishment.--The Office of Attorney General shall  
22 establish a program to be known as the Domestic Violence  
23 Fatality Review Program and a Domestic Violence Fatality Review  
24 Board, consisting of domestic violence fatality review teams  
25 with the purpose of investigating domestic violence-related  
26 fatalities and identifying gaps in systemic responses to  
27 domestic violence, as well as recommending improvements in  
28 domestic violence investigations, interventions and prevention  
29 efforts throughout this Commonwealth.

30 (b) Administration.--The Office of Attorney General shall

1 coordinate the activities of the board and shall be responsible  
2 for the provision of standard protocols, training and technical  
3 assistance to review teams.

4 (c) Case selection.--A review team and the board may only  
5 review domestic violence-related fatalities in which:

6 (1) no criminal charges have been filed against a  
7 perpetrator associated with a domestic violence-related  
8 fatality and the chief law enforcement officer of the  
9 jurisdiction indicates that no criminal charges will be  
10 filed; or

11 (2) all criminal legal proceedings associated with a  
12 domestic violence-related fatality have been closed.

13 § 6804. Domestic violence fatality review teams.

14 (a) Duties.--A domestic violence fatality review team shall:

15 (1) Gather information regarding the events leading to  
16 and facts surrounding incidences of domestic violence-related  
17 fatalities.

18 (2) Analyze information gathered regarding domestic  
19 violence-related fatalities.

20 (3) Identify trends, patterns and risk factors resulting  
21 from domestic violence-related fatality investigations.

22 (4) Examine and assess service delivery related to  
23 domestic violence.

24 (5) Provide aggregated fatality review reports to the  
25 board pursuant to section 6805 (relating to Domestic Violence  
26 Fatality Review Board).

27 (b) Protocols.--A review team shall establish a protocol for  
28 the investigation of domestic violence-related fatalities in  
29 consultation with the board.

30 (c) Location.--A review team may be established in any

1 jurisdiction or combination of jurisdictions.

2       (d) Membership.--Membership of a review team may include  
3 court personnel, law enforcement, medical professionals, victim  
4 advocates and any other individual or entity that the review  
5 team deems appropriate for the conduct of the review.

6       (e) Additional duties.--In furtherance of the purposes of  
7 this section, a review team may recommend any of the following:

8           (1) Changes in legislation, regulations, policies,  
9 budgets, treatment and service standards that may facilitate  
10 the reduction of domestic violence-related fatalities.

11           (2) Prevention and intervention strategies.

12           (3) Public awareness strategies.

13           (4) Strategies for enhanced interagency coordination.

14 § 6805. Domestic Violence Fatality Review Board.

15       (a) Powers and duties.--The Domestic Violence Fatality  
16 Review Board shall:

17           (1) Advise and consult with review teams.

18           (2) Provide education and technical assistance to review  
19 teams.

20           (3) Develop minimum data collection guidelines for  
21 review teams.

22           (4) Receive summary fatality review reports from review  
23 teams.

24           (5) Analyze data from the reports of review teams to  
25 identify Statewide trends and patterns associated with  
26 domestic violence-related fatalities.

27           (6) Recommend changes to domestic violence prevention,  
28 intervention and investigation efforts and monitor the  
29 implementation of these recommendations.

30           (7) Prepare an annual report of findings,

1 recommendations and steps taken to implement recommendations  
2 subject to the following requirements:

3 (i) The annual report may not contain information  
4 identifying any victim or alleged perpetrator of domestic  
5 violence or their family members.

6 (ii) The annual report shall be submitted to the  
7 public and the Governor on September 1 of each year and  
8 shall be presented at a joint meeting of the Judiciary  
9 Committee of the Senate and the Judiciary Committee of  
10 the House of Representatives at a public hearing.

11 (b) Membership.--At a minimum, the board shall be composed  
12 of a designee from:

13 (1) The Office of Attorney General.

14 (2) The Pennsylvania Coalition Against Domestic  
15 Violence.

16 (3) Two local domestic violence programs as defined in  
17 section 2333(e) of the act of April 9, 1929 (P.L.177,  
18 No.175), known as The Administrative Code of 1929, to be  
19 chosen by a majority vote of the board from a list of at  
20 least six programs provided by the Pennsylvania Coalition  
21 Against Domestic Violence.

22 (4) The Office of Physician General.

23 (5) The Office of Victim Advocate.

24 (6) The Pennsylvania Parole Board.

25 (7) The Pennsylvania State Police.

26 (8) The Administrative Office of Pennsylvania Courts.

27 (9) Three community members impacted by domestic  
28 violence or a domestic violence-related fatality to be chosen  
29 by a majority vote of the board from a list of at least nine  
30 community members provided by the Pennsylvania Coalition

1           Against Domestic Violence.

2           (10) The Pennsylvania Commission on Crime and  
3           Delinquency.

4           (11) An eligible legal services provider as defined in  
5           42 Pa.C.S. § 4903 (relating to definitions).

6           (12) The State association of sheriffs authorized by the  
7           act of June 14, 1923 (P.L.774, No.305), entitled "An act  
8           authorizing the sheriffs of the several counties of this  
9           Commonwealth to organize themselves into a State Association,  
10           for the purpose of holding annual meetings, to secure more  
11           uniformity and cooperation in the conduct of their offices,  
12           and providing for the payment of certain expenses in  
13           connection with such meetings by the various counties."

14           (13) A rape crisis center, as defined in section 2333(e)  
15           of The Administrative Code of 1929, to be selected by a  
16           majority vote of the board.

17           (14) The State association for district attorneys as  
18           provided in 16 Pa.C.S. § 12340 (relating to State  
19           associations) to be selected by a majority vote of the board.

20           (15) Two members of the Senate appointed by the  
21           President pro tempore, one from the majority party and one  
22           from the minority party.

23           (16) Two members of the House of Representatives  
24           appointed by the Speaker, one from the majority party and one  
25           from the minority party.

26           (17) Any other person that the board by a majority vote  
27           deems appropriate.

28           (c) Initial board organization.--The initial organization of  
29           the board shall consist of the designees under subsection (b)  
30           (1), (2), (4), (5), (6), (7), (8), (10), (11), (12), (15) and

1    (16). After these members are organized into the board, the  
2    board shall act to name designees to the board under subsection  
3    (b) (2), (3), (9), (13), (14) and (17). Thereafter the board  
4    shall conduct its normal business.

5    § 6806. Access to records.

6    (a) Power.--A review team and the board have the power to  
7    access and review the following records to the extent permitted  
8    by law or court rule:

9        (1) Guardian ad litem reports, parenting evaluations and  
10      victim impact statements.

11        (2) Media accounts.

12        (3) Protection from abuse documents, transcripts,  
13      violations and other materials as produced by the courts and  
14      law enforcement officials.

15        (4) Criminal history record information.

16        (5) Law enforcement incident documentation from closed  
17      cases, such as incident reports, dispatch records, victim,  
18      witness and suspect reports.

19        (6) Medical examiners' and coroners' reports.

20        (7) Records of court proceedings.

21        (8) Documents, reports and evaluations prepared in  
22      conjunction with court proceedings pursuant to general or  
23      local court rules.

24        (9) Probation and parole information.

25        (10) Reports to animal control.

26        (11) Presentence interviews and reports, and any  
27      recommendations made regarding bail and release on own  
28      recognizance.

29        (12) Investigative reports from the Office of Children,  
30      Youth and Families.

1                   (13) Statements from witnesses, friends, family and  
2                   employers of the victim and perpetrator.

3                   (14) Any other information determined to be relevant to  
4                   the review that will not jeopardize an ongoing investigation  
5                   or prosecution.

6                   (b) Court order.--In the event that the custodian of a  
7                   record described under subsection (a) refuses a request by a  
8                   review team or the board for access to the record, the court  
9                   shall issue an order directing the custodian of the records to  
10                   comply with the request.

11                   (c) Confidentiality of information.--A review team and the  
12                   board shall maintain the confidentiality of information  
13                   contained in record assessment under this section to the extent  
14                   required by any applicable law.

15                   (d) Immunity.--An entity, individual or institution that in  
16                   good faith provides information or records to a review team or  
17                   the board is immune from civil or criminal liability that might  
18                   otherwise be imposed as a result of providing the information or  
19                   record.

20                   § 6807. Confidentiality.

21                   (a) Signed confidentiality agreement.--Each member of a  
22                   review team and the board and any individual appearing before  
23                   them shall be required to sign a confidentiality agreement  
24                   created by the board in order to maintain the confidentiality of  
25                   the proceedings.

26                   (b) Confidentiality of proceedings, deliberations and  
27                   opinions.--

28                   (1) The proceedings, deliberations and opinions of a  
29                   review team and the board and their members are privileged  
30                   and confidential, except as otherwise provided by this

1 chapter.

2       (2) Information known to or opinions held by members of  
3 a review team or the board and any individual who presents  
4 information to a review team or the board is not subject to  
5 discovery, subpoena or introduction into evidence in any  
6 civil or criminal action, except as otherwise provided in  
7 this chapter.

8       (c) Confidentiality of records.--

9       (1) The records of a review team and the board are  
10 privileged and confidential, except as otherwise provided by  
11 this chapter. Records of a review team and the board are not  
12 subject to discovery, subpoena or introduction into evidence  
13 in any civil or criminal action, except as otherwise provided  
14 in this chapter.

15       (2) All records brought to a review team by a person or  
16 agency remain the property of that person or agency and shall  
17 be maintained by the person or agency to which the records  
18 belong.

19       (3) All records produced by a review team are the  
20 property of that review team. The records, including the  
21 names of victims, alleged perpetrators and family members, as  
22 well as documents relating to the proceedings, opinions and  
23 deliberations of a review team, shall remain confidential and  
24 are not subject to inspection and duplication under the  
25 Right-to-Know Law.

26       (4) All records produced by the board are the property  
27 of the board. The records, including the names of victims,  
28 alleged perpetrators and family members, as well as documents  
29 relating to the proceedings, opinions and deliberations of  
30 the board shall remain confidential and are not subject to

1        inspection and duplication under the Right-to-Know Law.

2        (5) Release of aggregated statistics, scenarios, annual  
3        reports, recommendations and other nonidentifying information  
4        by a review team or the board does not conflict with the duty  
5        of confidentiality under this section.

6        (d) Discovery.--Nothing in this section shall be construed  
7        to restrict or limit the right to discover or use in a civil or  
8        criminal action any evidence that is discoverable independent of  
9        the proceedings of a review team or the board.

10        (e) Immunity of members.--

11        (1) The board and its members and any review team and  
12        its members acting within the scope of the program are immune  
13        from all civil liability resulting from an act or omission  
14        arising out of and in the course of the board's or the review  
15        team's performance of that activity, unless the act or  
16        omission was the result of gross negligence, recklessness or  
17        intentional misconduct.

18        (2) This subsection shall not be construed to limit any  
19        other immunity provided by statute or common law.

20        § 6808. Penalties.

21        A person who discloses, makes use of or knowingly permits the  
22        use of information concerning a victim or other persons in  
23        violation of this chapter commits a summary offense.

24        Section 5. This act shall take effect July 1, 2026, or  
25        immediately, whichever is later.

# HOUSE OF REPRESENTATIVES

## DEMOCRATIC COMMITTEE BILL ANALYSIS

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<b>Bill No:</b>	HB2018 PN2577	<b>Prepared By:</b>	Michelle Batt, Esq. (717) 705-1880,6792
<b>Committee:</b>	Judiciary	<b>Executive Director:</b>	David Vitale, Esq.
<b>Sponsor:</b>	Hanbridge, Liz; Shusterman, Melissa		
<b>Date:</b>	11/19/2025		

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### **A. Brief Concept**

Establishes the Domestic Violence Fatality Review Program.

### **C. Analysis of the Bill**

Amends Title 23 by adding Chapter 68, requiring the Office of the Attorney General to establish a Domestic Violence Fatality Review Program and Domestic Violence Fatality Review Board for the purpose of investigating domestic violence-related fatalities, identifying systemic gaps and recommending improvements.

Fatalities will only be reviewed in cases where no criminal charges will be filed, or all criminal proceedings are closed.

The review board will consist of domestic violence fatality review teams comprised of court personnel, law enforcement, medical professionals, victim advocates and any other individual or entity that the review team deems appropriate for the conduct of the review.

- Teams are required to gather and analyze information relevant to the fatalities, identify trends, examine and assess domestic violence service delivery and provide aggregated fatality review reports to the board.
- Teams may recommend changes in legislation, regulations, policies, budgets, treatment and service standards, prevention and intervention strategies; public awareness strategies and strategies for enhanced interagency coordination.

The review board shall be composed of designees from the Office of the Attorney General, the Pennsylvania Coalition Against Domestic Violence, the Office of Physician General, the Office of Victim Advocate, the Pennsylvania Parole Board, the Pennsylvania State Police, the Administrative Office of Pennsylvania Courts, the Pennsylvania Commission on Crime and Delinquency, two local domestic violence programs, three community members impacted by domestic violence, a legal service provider, the State association of sheriffs, a rape crisis center, the State association for district attorneys, two members of the Senate, two members of the House of Representatives, and any other person that the board by majority vote deems appropriate.

- The board shall:
  - (1) Advise and consult with review teams.
  - (2) Provide education and technical assistance to review teams.
  - (3) Develop minimum data collection guidelines for review teams.
  - (4) Receive summary fatality review reports from review teams.
  - (5) Analyze data from the reports of review teams to identify Statewide trends and patterns associated with domestic violence-related fatalities.
  - (6) Recommend changes to domestic violence prevention, intervention and investigation efforts and monitor the implementation of these recommendations.
  - (7) Prepare an annual report of findings, recommendations and steps taken to implement recommendations subject to the following requirements:
    - (i) The annual report may not contain information identifying any victim or alleged perpetrator of domestic violence or their family members.

- (ii) The annual report shall be submitted to the public and the Governor on September 1 of each year and shall be presented at a joint meeting of the Judiciary Committee of the Senate and the Judiciary Committee of the House of Representatives at a public hearing.

Both the review board and review teams shall have the power to access and review relevant records. In the event that the custodian of a record refuses a request by a review team or the board for access to the record, the court shall issue an order directing the custodian of the records to comply with the request. Review teams and the board shall maintain the confidentiality of information and sign an agreement regarding the same.

An entity, individual or institution that in good faith provides information or records to a review team or the board is immune from civil or criminal liability that might otherwise be imposed as a result of providing the information or record.

The board and its members and any review team and its members acting within the scope of the program are immune from all civil liability resulting from a negligent act or omission arising out of and in the course of the board's or the review team's performance of that activity.

A person who discloses, makes use of or knowingly permits the use of information concerning a victim or other persons in violation of this chapter commits a summary offense.

To effectuate its purpose, this bill would also amend the "Criminal History Record Information Act" at Title 18, Sections 9104 (Sope) and 9121 (General regulations), and Title 23 Section 6340 (Release of information in confidential reports) to permit the disclosure of otherwise protected information to members of a Domestic Violence Fatality Review Board.

**Definitions:**

"Domestic Violence Fatality Review Board" or "board." A multidisciplinary, Statewide panel that advises domestic violence fatality review teams and recommends Statewide improvements in domestic violence investigation, intervention and prevention efforts.

"Domestic violence fatality review team" or "review team." A multidisciplinary team that reviews domestic violence-related fatalities in a local jurisdiction.

"Domestic violence-related fatality." A death resulting from or relating to an act of abuse as defined in section 6102 (relating to definitions), including the fatality of a victim, perpetrator, family member, partner or bystander.

**Effective Date:**

Immediately or July 1, 2026, whichever is later.

**G. Relevant Existing Laws**

**18 Pa.C.S. § 9104. Scope.**

(a) General rule.--Except for the provisions of Subchapter B (relating to completeness and accuracy), Subchapter D (relating to security) and Subchapter F (relating to individual right of access and review), nothing in this chapter shall be construed to apply to:

- (1) Original records of entry compiled chronologically, including, but not limited to, police blotters and press releases that contain criminal history record information and are disseminated contemporaneous with the incident.
- (2) Any documents, records or indices prepared or maintained by or filed in any court of this Commonwealth, including but not limited to the minor judiciary.
- (3) Posters, announcements, or lists for identifying or apprehending fugitives or wanted persons.

- (4) Announcements of executive clemency.
- (b) Court dockets, police blotters and press releases.--Court dockets, police blotters and press releases and information contained therein shall, for the purpose of this chapter, be considered public records.
- (c) Substitutes for court dockets.--Where court dockets are not maintained any reasonable substitute containing that information traditionally available in court dockets shall, for the purpose of this chapter, be considered public records.
- (d) Certain disclosures authorized.--Nothing in this chapter shall prohibit a criminal justice agency from disclosing an individual's prior criminal activity to an individual or agency if the information disclosed is based on records set forth in subsection (a).
- (e) Noncriminal justice agencies.--Information collected by noncriminal justice agencies and individuals from the sources identified in this section shall not be considered criminal history record information.

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### **18 Pa.C.S. § 9121. General regulations.**

- (a) Dissemination to criminal justice agencies.--Criminal history record information maintained by any criminal justice agency shall be disseminated without charge to any criminal justice agency or to any noncriminal justice agency that is providing a service for which a criminal justice agency is responsible.
- (b) Dissemination to noncriminal justice agencies and individuals.--Criminal history record information shall be disseminated by the Pennsylvania State Police to any individual or noncriminal justice agency only upon request. Other criminal justice agencies may disseminate criminal history record information to any individual or noncriminal justice agency only as they deem necessary to carry out their law enforcement functions as otherwise allowed by this chapter. The following apply:
  - (1) A fee may be charged by the Pennsylvania State Police for each request for criminal history record information by an individual or noncriminal justice agency, except that no fee shall be charged to an individual who makes the request in order to apply to become a volunteer with an affiliate of Big Brothers of America or Big Sisters of America or with a rape crisis center or domestic violence program.
  - (2) Except as provided for in subsections (b.1) and (b.2), before the Pennsylvania State Police disseminates criminal history record information to an individual or noncriminal justice agency, it shall extract from the record the following:
    - (i) All notations of arrests, indictments or other information relating to the initiation of criminal proceedings where:
      - (A) three years have elapsed from the date of arrest;
      - (B) no disposition is indicated in the record; and
      - (C) nothing in the record indicates that proceedings seeking conviction remain pending.
    - (ii) All information relating to a conviction and the arrest, indictment or other information leading thereto, which is the subject of a court order for limited access as provided in section 9122.1 (relating to petition for limited access).
    - (iii) All information relating to a conviction or nonconviction final disposition and the arrest, indictment or other information leading to the arrest or indictment which is subject to a court order for limited access as provided for in section 9122.2 (relating to clean slate limited access).

(3) A court or the Administrative Office of Pennsylvania Courts may not disseminate to an individual, a noncriminal justice agency or an Internet website any criminal history record information relating to a charge which is the subject of a court order for limited access as provided in section 9122.1 or 9122.2. Nothing in this paragraph shall permit a county clerk of courts or any other official to refuse access to criminal history record information related to convictions that have not been afforded limited access solely because one or more charges arising out of the same conduct or criminal episode have been afforded limited access, as provided in sections 9122.1 or 9122.2 or nolle prossed, withdrawn or dismissed.

(b.1) Exception.--Subsection (b)(1) and (2) shall not apply if the request is made by a county children and youth agency or the Department of Human Services in the performance of duties relating to children and youth under the act of June 24, 1937 (P.L.2017, No.396), known as the County Institution District Law, section 2168 of the act of August 9, 1955 (P.L.323, No.130), known as The County Code, the act of June 13, 1967 (P.L.31, No.21), known as the Human Services Code, 23 Pa.C.S. Ch. 63 (relating to child protective services) or 42 Pa.C.S. Ch. 63 (relating to juvenile matters).

(b.2) Additional exceptions.--

(1) Subsection (b)(2)(ii) and (iii) shall not apply if the request is made under a court order:

- (i) In a case brought under 23 Pa.C.S. Ch. 53 (relating to child custody) or 61 (relating to protection from abuse).
- (ii) By an employer against whom a claim of civil liability has been brought as described under section 9122.6 (relating to employer immunity from liability) for purposes of defending against a claim of civil liability.

(2) Subsection (b)(2) shall not apply:

- (i) To the verification of information provided by an applicant if Federal law, including rules and regulations promulgated by a self-regulatory organization that has been created under Federal law, requires the consideration of an applicant's criminal history for purposes of employment.
- (ii) To the verification of information provided to the Supreme Court, or an entity of the Supreme Court, in its capacity to govern the practice, procedure and conduct of all courts, the admission to the bar, the practice of law, the administration of all courts and supervision of all officers of the judicial branch.
- (iii) To the verification of information provided by a candidate for public office concerning eligibility under section 7 of Article II of the Constitution of Pennsylvania.
- (iv) To the Department of Human Services for verification of information as required by law.

(c) Data required to be kept.--Any criminal justice agency which disseminates criminal history record information must indicate to the recipient that the information disseminated is only that information contained in its own file, the date of the last entry, and that a summary of the Statewide criminal history record information may be obtained from the central repository.

(d) Extracting from the record.--When criminal history record information is maintained by a criminal justice agency in records containing investigative information, intelligence information, treatment information or other nonpublic information, the agency may extract and disseminate only the criminal history record information if the dissemination is to be made to a noncriminal justice agency or individual.

(e) Dissemination procedures.--Criminal justice agencies may establish reasonable procedures for the dissemination of criminal history record information.

(f) Notations on record.--Repositories must enter as a permanent part of an individual's criminal history record information file, a listing of all persons and agencies to whom they have disseminated that particular criminal history record information and the date and purpose for which the information was disseminated. Such listing shall be maintained separate from the record itself.

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**23 Pa.C.S. § 6340. Release of information in confidential reports.**

(a) General rule.--Reports specified in section 6339 (relating to confidentiality of reports) shall only be made available to:

(1) An authorized official of a county agency, of a Federal agency that has a need for such information to carry out its responsibilities under law to protect children from abuse and neglect or of an agency of another state that performs protective services analogous to those services performed by county agencies or the department in the course of the official's duties, multidisciplinary team members assigned to the case and duly authorized persons providing services pursuant to section 6370(a) (relating to voluntary or court-ordered services; findings of child abuse).

(2) A physician examining or treating a child or the director or a person specifically designated in writing by the director of any hospital or other medical institution where a child is being treated when the physician or the director or the designee of the director suspects the child of being an abused child or a child alleged to be in need of protection under this chapter.

(3) A guardian ad litem or court designated advocate for the child.

(4) An authorized official or agent of the department in accordance with department regulations or in accordance with the conduct of a performance audit as authorized by section 6343 (relating to investigating performance of county agency).

(5) A court of competent jurisdiction, including a magisterial district judge, a judge of the Philadelphia Municipal Court and a judge of the Pittsburgh Magistrates Court, pursuant to court order or subpoena in a criminal matter involving a charge of child abuse under section 6303(b) (relating to definitions). Disclosure through testimony shall be subject to the restrictions of subsection (c).

(5.1) A court of common pleas in connection with any matter involving custody of a child as set forth in sections 5328 (relating to factors to consider when awarding custody) and 5329.1 (relating to consideration of child abuse and involvement with protective services) or temporary guardianship of a child under Chapter 56 (relating to standby and temporary guardianship).

(6) A standing committee of the General Assembly, as specified in section 6384 (relating to legislative oversight).

(7) The Attorney General.

(8) Federal auditors if required for Federal financial participation in funding of agencies except that Federal auditors may not remove identifiable reports or copies thereof from the department or county agencies.

(9) Law enforcement officials of any jurisdiction, as long as the information is relevant in the course of investigating cases of:

(i) Homicide or other criminal offense set forth in section 6344(c) (relating to employees having contact with children; adoptive and foster parents), sexual abuse or exploitation, bodily injury or serious bodily injury caused by a perpetrator or nonperpetrator.

(ii) Child abuse other than that identified under subparagraph (i) by a nonperpetrator.

(iii) Repeated physical injury to a child under circumstances which indicate that the child's health, safety or welfare is harmed or threatened.

(iv) A missing child report.

(v) Severe forms of trafficking in persons or sex trafficking, as those terms are defined under section 103 of the Trafficking Victims Protection Act of 2000 (114 Stat. 1466, 22 U.S.C. § 7102).

(10) The district attorney's office or other law enforcement official, as set forth in county protocols for multidisciplinary investigative teams required in section 6365(c) (relating to services for prevention, investigation and treatment of child abuse), shall receive, immediately after the county agency has ensured the safety of the child, reports of abuse according to regulations, from the department or county agency in which the initial report of suspected child abuse or initial inquiry into the report gives evidence that the abuse is:

(i) a criminal offense set forth under section 6344.3 (relating to grounds for denying employment or participation in program, activity or service), not including an offense under 18 Pa.C.S. § 4304 (relating to endangering welfare of children) or an equivalent crime under Federal law or law of another state; or

(ii) child abuse under section 6334.1 (relating to responsibility for investigation).

(11) Designated county officials, in reviewing the competence of the county agency or its employees pursuant to this chapter. Officials under this paragraph are limited to the following:

(i) The board of commissioners in counties other than counties of the first class.

(ii) Mayor in a city of the first class under the act of April 21, 1949 (P.L.665, No.155), known as the First Class City Home Rule Act.

(iii) An individual serving as a county chief executive as designated by a county home rule charter or optional plan form of government pursuant to the act of April 13, 1972 (P.L.184, No.62), known as the Home Rule Charter and Optional Plans Law.

(12) A mandated reporter of suspected child abuse under section 6311 (relating to persons required to report suspected child abuse) who made a report of abuse involving the subject child shall be limited to the following:

(i) Whether the child abuse report is indicated, founded or unfounded.

(ii) Any services provided, arranged for or to be provided by the county agency to protect the child.

(13) School administrators and child-care service employers, as provided under this paragraph. The following shall apply:

(i) If the alleged perpetrator is a school employee or child-care service employee, school administrators and child-care service employers shall receive notice of a pending allegation and the final status of the report following the investigation as to whether the report is indicated, founded or unfounded.

(ii) Information disclosed pursuant to this paragraph shall be provided to the school administrator or child-care service employer within ten days of the completion of the investigation.

(iii) If the perpetrator is a school employee, the notice of the final status of the report shall be sent to the Department of Education within ten days of the completion of the investigation.

(14) A prospective adoptive parent, approved by an adoption agency, when considering adopting an abused child in the custody of a county agency. The county agency having custody of the child and the adoption agency shall determine the scope and detail of information which must be provided so that the prospective parent may make an informed decision to adopt.

(15) Appropriate officials of another county or state regarding an investigation related to child abuse or protective services when a family has moved to that county or state. Reports under this paragraph shall include general protective service reports and related information. Reports and information under this paragraph shall be provided within seven calendar days. The department shall promulgate regulations as necessary to carry out the purposes of this paragraph.

(16) Members of citizen review panels convened pursuant to section 6343.1 (relating to citizen review panels), provided that such members shall not disclose to any person or government official any identifying information about any specific child protective services case with respect to which the panel is provided information.

(17) A member of a child fatality or near fatality review team under section 6365(d).

(18) The Department of the Auditor General in conjunction with the performances of the duties designated to the Office of Auditor General, except that the Auditor General may not remove identifiable reports or copies thereof from the department or county agency.

(b) Release of information to subject.--Upon a written request, a subject of a report may receive a copy of all information, except that prohibited from being disclosed by subsection (c), contained in the Statewide database or in any report filed pursuant to section 6313 (relating to reporting procedure).

(c) Protecting identity.--Except for reports under subsection (a)(9) and (10) and in response to a law enforcement official investigating allegations of false reports under 18 Pa.C.S. § 4906.1 (relating to false reports of child abuse), the release of data by the department, county, institution, school, facility or agency or designated agent of the person in charge that would identify the person who made a report of suspected child abuse or who cooperated in a subsequent investigation is prohibited. Law enforcement officials shall treat all reporting sources as confidential informants.

(d) Exclusion of information.--Except as provided under section 6341(c.2)(4) (relating to amendment or expunction of information), information maintained in the Statewide database obtained from an investigating agency in relation to an appeal request shall not be released to any person except a department official. Information in the Statewide database or a confidential report provided under section 6341(c.2)(4) shall be subject to subsection (c).

**E. Prior Session** (Previous Bill Numbers & House/Senate Votes)

None.

This document is a summary of proposed legislation and is prepared only as general information for use by the Democratic Members and Staff of the Pennsylvania House of Representatives. The document does not represent the legislative intent of the Pennsylvania House of Representatives and may not be utilized as such.

THE GENERAL ASSEMBLY OF PENNSYLVANIA

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## HOUSE BILL

No. 2154 Session of  
2026

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INTRODUCED BY BRIGGS, PIELLI, SANCHEZ, KINKEAD, SHUSTERMAR,  
FRANKEL, MCNEILL, HILL-EVANS, CEPEDA-FREYTIZ AND K.HARRIS,  
JANUARY 21, 2026

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REFERRED TO COMMITTEE ON JUDICIARY, JANUARY 22, 2026

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## AN ACT

1 Amending Title 61 (Prisons and Parole) of the Pennsylvania  
2 Consolidated Statutes, establishing the Prison Industry  
3 Enhancement Authority; providing for employment of  
4 incarcerated individuals by private industry and for  
5 subcontracts with correctional agencies; establishing  
6 guidelines for incarcerated individual compensation; and  
7 providing for location of private sector prison industry.

8 The General Assembly of the Commonwealth of Pennsylvania  
9 hereby enacts as follows:

10 Section 1. Title 61 of the Pennsylvania Consolidated  
11 Statutes is amended by adding a chapter to read:

12 CHAPTER 1913 PRISON INDUSTRY ENHANCEMENT AUTHORITY14 Sec.15 1901. Scope of chapter.16 1902. Intent.17 1903. Definitions.18 1904. Prison Industry Enhancement Authority.19 1905. Powers and duties of authority.20 1906. Cooperation with private industry.

1 1907. Minimum requirements of private sector prison industry.  
2 1908. Wages and deductions.  
3 1909. Administrative support.  
4 1910. Immunities not waived.  
5 1911. Civil actions.  
6 1912. Construction of chapter.  
7 1913. Monetary limitations.  
8 § 1901. Scope of chapter.

9 This chapter relates to the Prison Industry Enhancement  
10 Authority.

11 § 1902. Intent.

12 It is the intent of the General Assembly that joint ventures  
13 between correctional facilities and private industry be  
14 established so that incarcerated individuals in correctional  
15 facilities be productively engaged. Private industry in this  
16 Commonwealth will gain access to an expanded labor force while  
17 not displacing job opportunities for civilian labor in the  
18 community. Nothing in this chapter shall be construed to  
19 authorize the privatization of correctional facilities in this  
20 Commonwealth. It is further the intent of the General Assembly  
21 to structure the use and availability of incarcerated individual  
22 labor and regulate its use to assure that incarcerated  
23 individual labor will not be used to replace work opportunities  
24 for unemployed or underemployed residents of this Commonwealth  
25 or to create competitive advantages for businesses participating  
26 in the prison labor programs. The private sector prison industry  
27 will not result in bargaining agreements for civilian laborers.  
28 It is further the intent of the General Assembly that  
29 incarcerated individuals who are deemed eligible in these jobs  
30 be able to:

1                   (1) Develop positive work habits that will assist them  
2                   in securing and holding gainful employment in the public and  
3                   private sectors subsequent to their release from  
4                   incarceration.

5                   (2) Pay a reasonable portion of the room and board in a  
6                   correctional facility.

7                   (3) Accept responsibility for the consequences of their  
8                   actions by compensating victims of crime through deductions  
9                   from their earnings.

10                  (4) Provide financial assistance to their dependents,  
11                  thus strengthening and promoting family ties while reducing  
12                  the likelihood that their families may eventually have to  
13                  rely upon public assistance.

14                  § 1903. Definitions.

15                  The following words and phrases when used in this chapter  
16                  shall have the meanings given to them in this section unless the  
17                  context clearly indicates otherwise:

18                  "Authority." The Prison Industry Enhancement Authority  
19                  established in this chapter.

20                  "Certification." The process where an applicant demonstrates  
21                  assurances of authority and compliance with mandatory program  
22                  criteria and describes key project elements as required by  
23                  Federal law.

24                  "Correctional facility." A jail, prison or detention  
25                  facility operated by the Commonwealth or by a county or jointly  
26                  by more than one county and used for the detention and  
27                  confinement of persons convicted and under sentence for  
28                  violations of the criminal laws of this Commonwealth. The term  
29                  includes a motivational boot camp as defined in section 3903  
30                  (relating to definitions). The term does not include a facility

1   used for the detention and confinement of juvenile offenders or  
2   a privately operated jail, prison or detention facility.

3    "Cost accounting center." A specific industry program  
4   operated under the private sector Prison Industry Enhancement  
5   Certification Program.

6    "County commissioners." Elected county commissioners or the  
7   equivalent governing body of any county, regardless of form of  
8   government.

9    "Director of correctional industries." An individual who has  
10   authority to operate and manage the Prison Industry Enhancement  
11   Certification Program under the direct supervision of the  
12   Secretary of Corrections and the Prison Industry Enhancement  
13   Authority.

14    "Employer model." An arrangement under which a private  
15    business, private enterprise or nonprofit entity owns and  
16    operates the cost accounting center with limited State or local  
17    government involvement by controlling the hiring, firing,  
18    training, supervision and payment of the incarcerated individual  
19    workforce, and the department assumes no major role in the  
20    industry operation, does not direct production and exercises  
21    minimum control over incarcerated individual labor performance.

22    "Incarcerated individual." An individual who has been  
23    convicted of a crime and is serving a sentence in a correctional  
24    facility.

25    "Local workforce development area." A geographical area as  
26    defined in section 501(a) of the act of December 18, 2001  
27    (P.L.949, No.114), known as the Workforce Development Act.

28    "Open market." An unrestricted stream of commerce within  
29    this Commonwealth and outside the borders of this Commonwealth  
30    in interstate commerce.

1       "Private business," "private enterprise" or "nonprofit  
2       entity." An individual, firm, partnership, corporation or other  
3       lawful commercial enterprise or nonprofit organization that,  
4       under this chapter, operates a private sector prison industry  
5       and employs State or county incarcerated individuals.

6       "Private sector prison industry." A private business,  
7       private enterprise or nonprofit entity that produces goods or  
8       services employing incarcerated individual labor in or on the  
9       property of a State or county correctional facility under the  
10      employer model.

11      "Program." The Prison Industry Enhancement Certification  
12      Program established under Federal law.

13      "Superintendent." The person in primary charge of the  
14      administration and managers of a State correctional facility.

15      "Warden." The person in primary charge of the administration  
16      and management of a county correctional institution or  
17      multicounty correctional facility.

18      § 1904. Prison Industry Enhancement Authority.

19      (a) Establishment.--There is established an authority to be  
20      known as the Prison Industry Enhancement Authority.

21      (b) Composition.--The authority shall consist of the  
22      following members:

23      (1) The secretary or a designee who shall serve as  
24      chair.

25      (2) The Secretary of Labor and Industry or a designee.

26      (3) The director of correctional industries.

27      (4) Two representatives from organized labor appointed  
28      by the Governor from a list submitted by the Statewide labor  
29      organizations in this Commonwealth.

30      (5) One county commissioner nominated by the County

1 Commissioners Association of Pennsylvania and appointed by  
2 the Governor.

3 (6) One warden appointed by the Governor.

4 (7) One representative from the business community  
5 appointed by the Governor from a list submitted by the  
6 business community.

7 (8) One superintendent appointed by the secretary.

8 (9) The Victim Advocate or a designee.

9 (c) Terms.--Terms for members shall be as follows:

10 (1) Three years for the county commissioner.

11 (2) Two years for the representative from the business  
12 community.

13 (3) Two years for the warden and the superintendent.

14 (4) Two years for the representatives from organized  
15 labor.

16 (5) The secretary, the Secretary of Labor and Industry,  
17 the director of correctional industries and the  
18 representative from the Office of Victim Advocate shall serve  
19 continuously.

20 (d) Reappointment.--A member of the authority may be  
21 eligible for reappointment. A member shall continue to serve  
22 after the expiration of the member's term until a successor is  
23 appointed.

24 (e) Vacancies.--A vacancy shall be filled by the original  
25 appointing authority for the remainder of the unexpired term. A  
26 vacancy shall be filled within 90 days of the occurrence of the  
27 vacancy.

28 (f) Meetings.--The authority shall meet biannually and upon  
29 the request of the chair or three or more members. All meetings  
30 of the authority shall be held in accordance with 65 Pa.C.S. Ch.

1 7 (relating to open meetings).

2 (g) Quorum.--For the transaction of general business of the  
3 authority, four members shall constitute a quorum. A majority  
4 vote of the members present will be necessary for a private  
5 sector prison industry application to be approved. Each approval  
6 of a private sector prison industry application shall be made by  
7 a vote at a duly constituted meeting of the authority.

8 (h) Compensation.--Notwithstanding any other provision of  
9 law, members shall receive no compensation for their services on  
10 the authority, but shall be reimbursed by the department from  
11 the department's Manufacturing Fund under section 3122 (relating  
12 to Manufacturing Fund) for reasonable and necessary expenses.

13 (i) Administration of authority.--The department shall  
14 furnish administrative support to the authority. Legal counsel  
15 for the authority shall be furnished by the Office of General  
16 Counsel.

17 § 1905. Powers and duties of authority.

18 The authority shall have the powers and duties to:

19 (1) Authorize the department to apply to the United  
20 States Department of Justice, Bureau of Justice Assistance or  
21 any successors for certification, as an umbrella authority,  
22 to assist other units of government seeking to participate in  
23 the program.

24 (2) Act as an intermediary between the department, and  
25 its designees, and the United States Department of Justice,  
26 Bureau of Justice Assistance or any successors in complying  
27 with the mandatory criteria and program requirements for  
28 private sector prison industries in this Commonwealth.

29 (3) Adopt procedures for determining whether a  
30 prospective private sector prison industry proposed by the

1 department or any county correctional agency complies with  
2 the requirements of the program and other State law not  
3 inconsistent with this chapter.

4 (4) Approve or disapprove proposals submitted to the  
5 authority from the department, or its designees, for private  
6 sector prison industry for inclusion or continuation in the  
7 program.

8 (5) Monitor the department and its designees to ensure  
9 continuing compliance with this chapter and Federal and State  
10 law and provide proper notification of violations and  
11 proposed actions taken to ensure compliance and remediation.

12 (6) Designate which services to be performed or articles  
13 manufactured or assembled by incarcerated individuals are  
14 conforming to the program regulations and can be sold on the  
15 open market.

16 (7) Monitor an approved private sector prison industry  
17 to ensure that it is complying with applicable labor  
18 standards specified in section 1906(c) (relating to  
19 cooperation with private industry) and any other applicable  
20 Federal or State law.

21 (8) Cancel any private sector prison industry where the  
22 authority determines that the private sector prison industry  
23 has not complied with the requirements of this chapter or has  
24 violated another Federal or State law applicable to work  
25 performed under this chapter.

26 § 1906. Cooperation with private industry.

27 (a) General rule.--Upon the approval of the authority, the  
28 department or a county correctional facility, with the approval  
29 of its governing board, may enter into contracts with a private  
30 business, private enterprise or nonprofit organization to permit

1 the employment of incarcerated individuals to perform designated  
2 work under the employer model. The department shall remain  
3 responsible for the custody of individuals incarcerated in a  
4 State correctional institution who are working for a cost  
5 accounting center operated by the department. The county shall  
6 remain responsible for the custody of individuals incarcerated  
7 in a county correctional institution who are working for a cost  
8 accounting center operated by the county. The contractual  
9 arrangement authorized by this chapter shall not create any  
10 third-party rights in any incarcerated individual.

11 (b) Status of incarcerated individual.--No incarcerated  
12 individual compensated for participation in the program shall be  
13 considered to be an employee of the Commonwealth or the county  
14 nor shall the incarcerated individual be afforded the rights and  
15 privileges of Commonwealth or county employees. Where a private  
16 business, private enterprise or nonprofit organization is  
17 directly employing an incarcerated individual under the employer  
18 model the private business, private enterprise or nonprofit  
19 organization shall be solely responsible and liable for  
20 compliance with all applicable labor standards specified in this  
21 chapter or in other applicable Federal or State laws. No  
22 incarcerated individual may be employed under this chapter for  
23 more than 40 hours in any workweek.

24 (c) Certain rights preserved.--Nothing contained in this  
25 section shall be deemed to restore, in whole or in part, the  
26 civil rights of participating incarcerated individuals, except  
27 that participating incarcerated individuals shall be afforded  
28 the protection of 29 U.S.C. Ch. 8 (relating to fair labor  
29 standards), 42 U.S.C. § 2000a-1 (relating to prohibition against  
30 discrimination or segregation required by any law, statute,

1 ordinance, regulation, rule or order of a State or State  
2 agency), 29 U.S.C. Ch. 15 (relating to occupational safety and  
3 health), 42 U.S.C. Ch. 76 (relating to age discrimination in  
4 federally assisted programs), 42 U.S.C. Ch. 126 (relating to  
5 equal opportunity for individuals with disabilities), the act of  
6 June 2, 1915 (P.L.736, No.338), known as the Workers'  
7 Compensation Act, the act of October 27, 1955 (P.L.744, No.222),  
8 known as the Pennsylvania Human Relations Act, the act of July  
9 14, 1961 (P.L.637, No.329), known as the Wage Payment and  
10 Collection Law, and the act of January 17, 1968 (P.L.11, No.5),  
11 known as The Minimum Wage Act of 1968, solely to the extent that  
12 they apply to the private sector prison industry employment  
13 relationship.

14 (d) Consent to deduction.--An incarcerated individual may  
15 participate in the program established under this chapter only  
16 on a voluntary basis and must consent, in advance, to the  
17 specific deductions from gross wages, as specified under section  
18 1908 (relating to wages and deductions). An incarcerated  
19 individual performing services for a cost accounting center  
20 shall indicate, in writing, that the incarcerated individual:

21       (1) agrees voluntarily to participate in the cost  
22       accounting center activities; and  
23       (2) agrees voluntarily, and in advance, to specific  
24       deductions made from gross wages, as well as all other  
25       financial arrangements made as to wages earned through  
26       participation in the cost accounting center's activities.

27 § 1907. Minimum requirements of private sector prison industry.

28 (a) Requirements enumerated.--A private business, private  
29       enterprise or nonprofit organization may not enter into a  
30       contract under section 1906 (relating to cooperation with

1 private industry) unless it demonstrates all of the following:

2       (1) The private business, private enterprise or  
3       nonprofit organization, the department or the governing  
4       authority of the county correctional system, whichever is  
5       applicable, consulted with local union central bodies and  
6       with local businesses that may be affected by the private  
7       business, private enterprise or nonprofit organization  
8       participating in the program.

9       (2) The private business, private enterprise or  
10      nonprofit organization has submitted information in a form  
11      and manner approved by the authority that its participation  
12      in the program will not:

13        (i) demonstrably result in the displacement of  
14        employees in the local workforce development area;  
15        (ii) be applied in skills, crafts or trades in which  
16        there is a surplus of available gainful labor in the  
17        locality; or  
18        (iii) impair existing contracts for goods and  
19        services. A contract may not be executed by or with a  
20        private sector prison industry employer that will permit  
21        the employment of incarcerated individuals in the same  
22        job classifications or similar work duties or assignments  
23        as individuals who are on strike as a result of a labor  
24        dispute as defined in the act of June 1, 1937 (P.L.1168,  
25        No.294), known as the Pennsylvania Labor Relations Act,  
26        or who are otherwise involved in a labor dispute as that  
27        term is defined by Federal law, including a lockout.

28       (3) The private business, private enterprise or  
29       nonprofit organization has provided proof of security for the  
30       payment of workers' compensation as provided in section 305

1       of the act of June 2, 1915 (P.L.736, No.338), known as the  
2       Workers' Compensation Act, for work to be performed under the  
3       contract. Security for the payment of workers' compensation  
4       shall be maintained throughout any program authorized under  
5       this chapter.

6       (4) The work to be performed under the contract is not  
7       covered by the act of August 15, 1961 (P.L.987, No.442),  
8       known as the Pennsylvania Prevailing Wage Act, or the act of  
9       October 24, 2012 (P.L.1209, No.151), known as the Child Labor  
10      Act.

11      (5) The private business, private enterprise or  
12      nonprofit organization has provided proof that it has not  
13      been found in the last 10 years to be in violation of any law  
14      listed in section 1906(c).

15      (6) Any activity undertaken by the private business,  
16      private enterprise or nonprofit organization under the  
17      contract shall be in compliance with 42 U.S.C. Ch. 55  
18      (relating to National Environmental Policy).

19      (b) Priorities.--When reviewing a potential private sector  
20      prison industry, the authority shall consider the impact on the  
21      employment of persons in the private business sector of this  
22      Commonwealth and consider establishing joint ventures that will  
23      retain or reclaim jobs in this Commonwealth, support emerging  
24      Commonwealth industries or create jobs for a deficient labor  
25      market.

26      § 1908. Wages and deductions.

27      (a) Wages.--All incarcerated individuals participating in a  
28      cost accounting center's activities shall be compensated at a  
29      rate that is not less than the wages paid for work of a similar  
30      nature in private industry in the local workforce development

1 area in which the activity is performed, as determined after  
2 consultation with the Department of Labor and Industry. The  
3 Department of Labor and Industry shall base its determination on  
4 estimated occupational data available for the local workforce  
5 development area. An incarcerated individual may not receive  
6 compensation that is less than the minimum wage established by  
7 Federal or State law, whichever is higher, except as specified  
8 in Federal and State law. Wages shall be paid no less frequently  
9 than biweekly. Any wages remaining after the deductions under  
10 subsection (b) shall be maintained by the appropriate  
11 correctional authority in a fund in the incarcerated  
12 individual's name. The amount remaining shall be returned to the  
13 incarcerated individual at the time of release. The correctional  
14 authority may permit the incarcerated individual to draw a  
15 portion of the money for other purposes deemed to be appropriate  
16 by the correctional authority.

17       **(b) Deductions.--**

18       (1) An incarcerated individual shall have deducted from  
19       gross compensation received:

20           (i) Federal, State and local taxes.

21           (ii) Contributions to the Crime Victim Services and  
22       Compensation Fund or equivalent fund established by law  
23       to compensate victims of crime and court-ordered victim  
24       restitution, which contributions combined may not be less  
25       than 5% nor more than 20% of the incarcerated  
26       individual's gross wages.

27           (iii) A reasonable portion of room and board and  
28       administrative costs for the incarcerated individual in a  
29       correctional facility as determined by the department or  
30       the governing body of the county correctional agency.

(iv) An allocation for support of the incarcerated individual's immediate family pursuant to State statute, court order or agreement by the incarcerated individual.

(v) All deductions provided for in subparagraphs

(i), (ii), (iii) and (iv), in their entirety, may not exceed 70% of an incarcerated individual's gross wages.

The incarcerated individual employee shall be paid, credited with, or otherwise benefit from, the gross remainder. The remaining gross amount may be directed to incarcerated individuals' expense accounts, or to the settling of the incarcerated individuals' legal obligations, including the payment of court-ordered fines and restitution.

(2) No other deductions from gross compensation are permitted unless otherwise authorized under Federal or State law. Deductions from gross pay shall not in the aggregate exceed 80% of gross wages. Each incarcerated individual employed shall receive a written statement of the description and amount of each deduction.

(c) Workers' compensation.--The provision of benefits and compensation to incarcerated individuals for injuries sustained in the course of employment provided for under this chapter shall be subject to any limitations specified under the act of June 2, 1915 (P.L.736, No.338), known as the Workers' Compensation Act, except that an approved private sector prison industry shall be liable for compensation under the Workers' Compensation Act for any work-related injuries resulting from work performed under this chapter notwithstanding section 306(a.1) of the Workers' Compensation Act, relating to prison labor. Nothing in this act shall require the payment of

1 disability compensation under section 306(a) or (b) of the  
2 Workers' Compensation Act for any period during which the  
3 incarcerated individual remains incarcerated. Incarcerated  
4 individuals and their dependents are precluded from filing  
5 claims against the Uninsured Employers Guaranty Fund for  
6 injuries sustained for work performed under this chapter.

7 (d) Unemployment insurance.--An incarcerated individual is  
8 not qualified to receive unemployment insurance payments.

9 § 1909. Administrative support.

10 The department shall provide the authority with reasonable  
11 administrative and clerical support services subject to the  
12 availability of funds.

13 § 1910. Immunities not waived.

14 No provision of this chapter shall waive or impair any  
15 sovereign, government, qualified or other immunity from or  
16 defense against suit available to the Commonwealth and its  
17 departments, boards, officers, employees and agents or the  
18 political subdivisions of this Commonwealth and their agencies,  
19 officers and employees.

20 § 1911. Civil actions.

21 An incarcerated individual may not bring a civil action  
22 before any court, independent commission or authority of this  
23 Commonwealth against the authority, the Commonwealth or its  
24 agencies, officers or employees or the political subdivisions of  
25 this Commonwealth and their agencies, officers and employees  
26 based upon a contractual arrangement authorized under this  
27 chapter.

28 § 1912. Construction of chapter.

29 No provision of this chapter may be construed:

30 (1) To establish a civil cause of action against the

1       authority, the Commonwealth or its agencies, officers or  
2       employees or the political subdivisions of this Commonwealth  
3       and their agencies, officers and employees.

4       (2) To establish an enforceable right in any person to  
5       obtain or retain employment in the private sector prison  
6       industry.

7       (3) To require the department or any county to propose  
8       or permit a private sector prison industry within the  
9       correctional facility.

10       (4) To affect or change the method or manner of  
11       incarcerated individual work assignments within a  
12       correctional facility or the statutory authority to compel  
13       the labor on behalf of the Commonwealth or any political  
14       subdivision thereof.

15       § 1913. Monetary limitations.

16       There shall be no monetary limitations on the amount of goods  
17       and services supplied to the open market unless otherwise stated  
18       by the authority.

19       Section 2. All acts and parts of acts are repealed insofar  
20       as they are inconsistent with the addition of 61 Pa.C.S. Ch. 19.

21       Section 3. This act shall take effect in 120 days.

# HOUSE OF REPRESENTATIVES

## DEMOCRATIC COMMITTEE BILL ANALYSIS

**Bill No:** HB2154 PN2787  
**Committee:** Judiciary  
**Sponsor:** Briggs, Tim  
**Date:** 1/20/2026

**Prepared By:** David Vitale, Esq.  
(717) 705-7011,6791  
**Executive Director:** David Vitale, Esq.

### **A. Brief Concept**

Amends Title 61 (Prisons and Parole) to create a Prison Industry Enhancement Authority in the Commonwealth of Pennsylvania.

### **C. Analysis of the Bill**

Establishes the Prison Industry Enhancement Authority to allow private businesses to employ incarcerated individuals in approved, prison-based industries under the federal Prison Industry Enhancement Certification Program.

The intent of the bill is to allow inmates to work for private industry under federally regulated conditions and state law, sets rules for compensation, and establishes guidelines for how correctional agencies could partner with private businesses. This does not guarantee that private industry will automatically utilize inmate labor in Pennsylvania; it simply allows the Pennsylvania Department of Corrections to apply for certification. The Authority must approve all applications. The bill also establishes a formal governance structure, sets minimum labor and program standards, and creates safeguards to ensure that prison-based industries promote rehabilitation and victim compensation without displacing civilian workers or undermining local labor markets.

### **Purpose**

- Expansion of correctional labor opportunities for inmates by partnering with private businesses.
- Establish the Prison Industry Enhancement Authority which would oversee the PIECP program and ensure that all parameters are followed to be in compliance with federal and state law.
- Provide a realistic work environment for inmates that better resembles private sector jobs.
- Allows inmates to develop marketable skills that increase employability after release from incarceration which supports rehabilitation and can help reduce recidivism through meaningful employment.
- Inmates can make a prevailing local wage which allows them to pay restitution fees, child support, and other obligations, while also allowing them to develop savings while incarcerated.
- Through a private sector business, provides the ability to sell goods manufactured in a correctional industry setting to the general public.

**Prison Industry Enhancement Authority:** The Authority shall be comprised of the following:

- The Secretary of DOC,
- The Secretary of the Department of Labor and Industry,
- The Director of Correctional Industries,
- Two representatives from organized labor,
- One county commissioner,
- One warden,

- One representative from the business community,
- One superintendent, and
- The state Victim Advocate.

The bill provides for terms for each member and staggers them to maintain some consistency on the Authority. The Authority shall meet at least biannually, and the meetings are subject to the open meetings law and quorum requirements to conduct business. Members of the authority shall not receive compensation but shall be reimbursed for reasonable and necessary expenses. DOC shall staff the Authority and legal counsel will be furnished by the Office of General Counsel.

**Powers & Duties of Authority:** The Authority shall have, in part, the following duties:

- Authorize & coordinate federal certification, acting as an umbrella entity for Pennsylvania's participation in the federal Prison Industry Enhancement Certification Program (Program).
- Designate which goods and services may be sold on the open market.
- Adopt standards & procedures to evaluate whether proposed prison industry projects comply with federal program requirements and state law.
- Approve, conditionally approve, or reject applications from DOC or county correctional agencies seeking to establish private-sector prison industries.
- Monitor approved programs to ensure ongoing compliance with labor standards, wage requirements, and worker protection laws.
- Ensure protections for civilian labor markets, including review of impacts on local employment and existing businesses.
- Cancel a program if it fails to meet statutory or regulatory requirements.

**Cooperation with private industry:** Under the bill DOC or a county correctional facility may enter into a contract with private businesses to permit the employment of incarcerated individuals. DOC or the county remains responsible for the custody of the incarcerated individuals who are working for the cost accounting center. Incarcerated individuals are not employees of the Commonwealth or county, and the incarcerated individual's employer is solely responsible and liable for compliance with all applicable labor standards. Incarcerated individuals may not work more than 40 hours and retain the federal protections provided to employees, including the Fair Labor Standards Act, anti-discrimination, Occupational Safety and Health, and State Workmen's Comp, the PA Human Relations Act, and the Minimum Wage Act of 1968.

**Mandatory Deductions:** Incarcerated individuals must consent in writing to participate and to specific deductions to gross wages.

Mandatory Deductions are as follows:

- i. Federal, state, and local taxes,
- ii. Contributions to the Crime Victim Services and Compensation Fund or Court ordered victim restitution between 5% and 20% of gross wages,
- iii. A portion of room and board and administrative costs,
- iv. An allocation of support for the incarcerated individual's immediate family,
- v. All deductions in subparagraphs (i), (ii), (iii) and (iv), in their entirety, may not exceed 70%, and
- vi. Deductions from gross pay shall not in the aggregate exceed 80% of gross wages

Each incarcerated individual employed shall receive a written statement of the description and amount of each deduction.

**No Impact of Local Workforce & Legal Compliance:** The legislation will provide incarcerated individuals with work opportunities while assuring that they do not replace work opportunities for Pennsylvania residents. In order to participate, a business is required to consult with local unions and businesses that may be affected and they must submit information demonstrating that no local workers will be displaced because of the program. A business must provide proof of security to pay workmen's comp claims and the work to be

performed by incarcerated individuals is not covered by prevailing wage or the Child Labor Act and must comply with the National Environmental Policy Act.

The Authority shall not execute a contract with a private sector employer that will permit the employment of incarcerated individuals in the same job classifications or similar work duties or assignments as individuals who are involved in a labor dispute. The intent of the bill is to provide incarcerated individuals with employment opportunities inside their facility without competing with outside workers. A contract shall not be approved for a private sector employer who has been found in violation of enumerated labor or civil rights laws within the previous ten years. When reviewing proposals, the Authority must prioritize programs that retain jobs in Pennsylvania, support emerging industries, or serve labor-deficient markets.

**Definition:**

"Authority." The Prison Industry Enhancement Authority established in this chapter.

"Certification." The process where an applicant demonstrates assurances of authority and compliance with mandatory program criteria and describes key project elements as required by Federal law.

"Correctional facility." A jail, prison or detention facility operated by the Commonwealth or by a county or jointly by more than one county and used for the detention and confinement of persons convicted and under sentence for violations of the criminal laws of this Commonwealth. The term includes a motivational boot camp as defined in section 3903 (relating to definitions). The term does not include a facility used for the detention and confinement of juvenile offenders or a privately operated jail, prison or detention facility.

"Cost accounting center." A specific industry program operated under the private sector Prison Industry Enhancement Certification Program.

"County commissioners." Elected county commissioners or the equivalent governing body of any county, regardless of form of government.

"Director of correctional industries." An individual who has authority to operate and manage the Prison Industry Enhancement Certification Program under the direct supervision of the Secretary of Corrections and the Prison Industry Enhancement Authority.

"Employer model." An arrangement under which a private business, private enterprise or nonprofit entity owns and operates the cost accounting center with limited State or local government involvement by controlling the hiring, firing, training, supervision and payment of the incarcerated individual workforce, and the department assumes no major role in the industry operation, does not direct production and exercises minimum control over incarcerated individual labor performance.

"Incarcerated individual." An individual who has been convicted of a crime and is serving a sentence in a correctional facility.

"Local workforce development area." A geographical area as defined in section 501(a) of the act of December 18, 2001 (P.L.949, No.114), known as the Workforce Development Act.

"Open market." An unrestricted stream of commerce within this Commonwealth and outside the borders of this Commonwealth in interstate commerce.

"Private business," "private enterprise" or "nonprofit entity." An individual, firm, partnership, corporation or other lawful commercial enterprise or nonprofit organization that, under this chapter, operates a private sector prison industry and employs State or county incarcerated individuals.

"Private-sector prison industry" is defined by the bill as a private business, private enterprise, or nonprofit entity that produces goods or services employing inmate labor in or on the property of a State or county correctional facility under the employer model.

"Program." The Prison Industry Enhancement Certification Program established under Federal law.

"Superintendent." The person in primary charge of the administration and managers of a State correctional facility.

"Warden." The person in primary charge of the administration and management of a county correctional institution or multicounty correctional facility.

**Effective Date:**

120 Days.

**G. Relevant Existing Laws**

Federal Prison Industry Enhancement Certification Program (PIECP):

- PIECP was originally authorized under the Justice System Improvement Act of 1979.
- The Crime Control Act of 1990 later authorized the continuation of the program indefinitely.
- The program is under the authority of the Bureau of Justice Assistance (BJA).
- There are currently 45 correctional industry programs with PIECP operating throughout the United States. Importantly, BJA only has the ability to issue a total of 50 certifications at any one time.

Pennsylvania is one of only a few states who is not certified under PIECP.

- As of 2022, PIECP has generated nearly \$109 million for victims' programs, \$54.9 million for inmate family support, \$343.8 million for correctional institution room and board costs, and \$124.3 million in state and federal taxes.

**E. Prior Session (Previous Bill Numbers & House/Senate Votes)**

Senate Bill 175 was introduced by Senator Bartolotta in 2023, and she will be introducing the companion to this bill this session.

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# THE GENERAL ASSEMBLY OF PENNSYLVANIA

INTRODUCED BY KHAN, J. HARRIS, PIELLI, MADSEN, CARROLL, GREEN,  
GIRAL, HANBIDGE, HOWARD, SANCHEZ, SCHLOSSBERG, HILL-EVANS,  
HOHENSTEIN AND KENYATTA, FEBRUARY 10, 2025

REFERRED TO COMMITTEE ON JUDICIARY, FEBRUARY 10, 2025

## A RESOLUTION

1 Directing the Joint State Government Commission to study  
2 diversion programs and make recommendations for improving  
3 existing diversion programs and establishing new diversion  
4 programs.

5 WHEREAS, Research has demonstrated that depending on punitive  
6 approaches in addressing criminal behavior does not effectively  
7 promote public safety; and

8 WHEREAS, Racial and gender disparities continue to be  
9 prevalent in the criminal justice system as a disproportionate  
10 number of Black individuals and other people of color are  
11 incarcerated; and

12 WHEREAS, Furthermore, those involved with the criminal  
13 justice system as a result of poverty-related crime, mental  
14 health and substance use disorders are unjustly penalized rather  
15 than provided with assistance; and

16 WHEREAS, In order to address these disparities and the  
17 underlying cause of criminal behavior, prosecutors and police  
18 are adopting diversion programs in communities across the

1 nation; and

2 WHEREAS, Diversion is an effective alternative method in  
3 promoting long-term community safety, diverting individuals from  
4 the criminal justice system and reducing recidivism; and

5 WHEREAS, With a focus on rehabilitation and community-based  
6 treatment as opposed to punitive measures, individuals involved  
7 in the criminal justice system have the opportunity to receive  
8 proper support; and

9 WHEREAS, Approaches to diversion include prepolice encounter  
10 diversion, prearrest diversion, precharge diversion and pretrial  
11 diversion; and

12 WHEREAS, Prepolice encounter diversion includes situations in  
13 which police may encounter an emergency that does not require  
14 law enforcement but necessitates crisis hotlines or civilian  
15 responders to mitigate community problems; and

16 WHEREAS, Prearrest diversion programs reduce arrests and  
17 placement in jails by providing law enforcement with the  
18 discretion to divert individuals who have engaged in low-level  
19 offenses; and

20 WHEREAS, Precharge diversion, which can be operated by  
21 courts, law enforcement agencies, prosecutors and community-  
22 based organizations, may divert individuals prior to being  
23 charged with a crime; and

24 WHEREAS, Pretrial diversion programs, such as problem-solving  
25 courts, provide an individual charged with a crime the  
26 opportunity to complete program requirements and may include  
27 deferred adjudication through community service; and

28 WHEREAS, Diversion programs are vital in reforming our  
29 criminal justice system and increasing public safety; therefore  
30 be it

1       RESOLVED, That the House of Representatives direct the Joint  
2 State Government Commission to study diversion programs and make  
3 recommendations for improving existing diversion programs and  
4 establishing new diversion programs; and be it further

5       RESOLVED, That the report shall include recommendations for  
6 improving existing diversion programs and establishing new  
7 programs that other states have successfully implemented or that  
8 are likely to be successful in this Commonwealth; and be it  
9 further

10      RESOLVED, That the report include an explanation of  
11 facilitators of and barriers to existing diversion programs; and  
12 be it further

13      RESOLVED, That the Joint State Government Commission report  
14 its findings to the House of Representatives within one year of  
15 the adoption of this resolution.

# HOUSE OF REPRESENTATIVES

## DEMOCRATIC COMMITTEE BILL ANALYSIS

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**Bill No:** HR0063 PN0534  
**Committee:** Judiciary  
**Sponsor:** Khan, Tarik  
**Date:** 2/12/2025

**Prepared By:** Marissa Itterly  
(717) 705-7011  
**Executive Director:** David Vitale, Esq.

### **A. Brief Concept**

Directs the Joint State Government Commission to conduct a study of diversion programs and make recommendations to the House of Representatives on how to improve existing programs and establish new diversion programs.

### **C. Analysis of the Bill**

The study would:

- Direct the Joint State Government Commission to study diversion programs and make recommendations for improving existing diversion programs and establishing new diversion programs;
- Include recommendations for improving existing diversion programs and establishing new programs that other states have successfully implemented or that are likely to be successful in the Commonwealth; and
- Include an explanation of facilitators of and barriers to existing diversion programs.

### **Effective Date:**

Recommendations are due within one year.

### **G. Relevant Existing Laws**

None.

### **E. Prior Session (Previous Bill Numbers & House/Senate Votes)**

HR 314 by Rep. Tarik Khan (D) (2023) was referred to the Judiciary Committee on February 5, 2024.

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## THE GENERAL ASSEMBLY OF PENNSYLVANIA

# HOUSE RESOLUTION

No. 386 Session of  
2026

INTRODUCED BY YOUNG, BURGOS, CONKLIN, GREINER, WAXMAN, SAPPEY,  
McNEILL, GUZMAN, OWLETT, HILL-EVANS, KUTZ, DONAHUE,  
HOHENSTEIN, PICKETT, SAMUELSON, ISAACSON, SANCHEZ,  
M. MACKENZIE, RIVERA, ANDERSON, BRENNAN, FREEMAN, JAMES AND  
NEILSON, JANUARY 8, 2026

REFERRED TO COMMITTEE ON JUDICIARY, JANUARY 8, 2026

## A RESOLUTION

1 Recognizing the month of January 2026 as "Human Trafficking  
2 Awareness Month" in Pennsylvania.

3 WHEREAS, Human trafficking is a crime involving the coercion  
4 and exploitation of a person for labor, services or commercial  
5 sex; and

6 WHEREAS, The Federal Trafficking Victims Protection Act of  
7 2000 recognizes and defines the two primary forms of human  
8 trafficking as sex trafficking and forced labor; and

9 WHEREAS, According to the National Institute of Justice, sex  
10 trafficking is defined as the recruitment, harboring,  
11 transportation, provision, obtaining, patronizing or soliciting  
12 of a person for the purpose of a commercial sex act in which the  
13 commercial sex act is induced by force, fraud or coercion, or in  
14 which the person induced to perform the act has not attained 18  
15 years of age; and

16 WHEREAS, Forced labor is defined as the recruitment,

1 harboring, transportation, provision or obtaining of a person  
2 for labor or services through the use of force, fraud or  
3 coercion for the purpose of subjection to involuntary servitude,  
4 peonage, debt bondage or slavery; and

5 WHEREAS, An estimated 27.6 million people, including adults  
6 and children, are subjected to human trafficking around the  
7 world, including in the United States; and

8 WHEREAS, The United Nations' International Labour  
9 Organization estimates that 77% of all worldwide victims are  
10 trafficked for forced labor and 23% of all victims are  
11 trafficked for sex; and

12 WHEREAS, Worldwide, it is estimated that 78% of sex  
13 trafficking victims are women and girls and 22% are men and  
14 boys; and

15 WHEREAS, Worldwide, it is estimated that 33% of forced labor  
16 victims are women and girls and 67% are men and boys; and

17 WHEREAS, Victims of human trafficking suffer physically,  
18 mentally and financially as a result of their ordeal; and

19 WHEREAS, Human trafficking is an affront to the conscience of  
20 our nation and our Commonwealth; and

21 WHEREAS, Human trafficking robs persons of their dignity and  
22 freedom and enriches criminal elements at the victims' expense;  
23 and

24 WHEREAS, It is the collective responsibility of every person  
25 in this Commonwealth to recognize, report and prevent this most  
26 heinous crime; and

27 WHEREAS, Since 2010, each President of the United States has  
28 dedicated the month of January as "Human Trafficking Prevention  
29 Month" to raise awareness about human trafficking and to educate  
30 the public on identification and prevention; therefore be it

1       RESOLVED, That the House of Representatives recognize the  
2 month of January 2026 as "Human Trafficking Awareness Month" in  
3 Pennsylvania.

# HOUSE OF REPRESENTATIVES

## DEMOCRATIC COMMITTEE BILL ANALYSIS

**Bill No:** HR0386 PN2743  
**Committee:** Judiciary  
**Sponsor:** Young, Regina  
**Date:** 1/14/2026

**Prepared By:** Marissa Itterly  
(717) 705-1880,6312  
**Executive Director:** David Vitale, Esq.

### **A. Brief Concept**

Recognizes January 2026 as "Human Trafficking Awareness Month" in Pennsylvania.

### **C. Analysis of the Bill**

Human trafficking is a crime involving the coercion and exploitation of a person for labor, services or commercial sex.

The Federal Trafficking Victims Protection Act of 2000 recognizes and defines the two primary forms of human trafficking as sex trafficking and forced labor.

According to the National Institute of Justice, sex trafficking is defined as the recruitment, harboring, transportation, provision, obtaining, patronizing or soliciting of a person for the purpose of a commercial sex act in which the commercial sex act is induced by force, fraud or coercion, or in which the person induced to perform the act has not attained 18 years of age.

Forced labor is defined as the recruitment, harboring, transportation, provision or obtaining of a person for labor or services through the use of force, fraud or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage or slavery.

An estimated 27.6 million people, including adults and children, are subjected to human trafficking around the world, including in the United States.

The United Nations' International Labor Organization estimates that 77% of all worldwide victims are trafficked for forced labor and 23% of all victims are trafficked for sex.

Worldwide, it is estimated that 78% of sex trafficking victims are women and girls and 22% are men and boys.

Victims of human trafficking suffer physically, mentally and financially as a result of their ordeal.

Human trafficking is an affront to the conscience of our nation and our Commonwealth.

Human trafficking robs persons of their dignity and freedom and enriches criminal elements at the victims' expense.

It is the collective responsibility of every person in this Commonwealth to recognize, report and prevent this most heinous crime.

### **Effective Date:**

Immediately.

### **G. Relevant Existing Laws**

Resolution.

**E. Prior Session** (Previous Bill Numbers & House/Senate Votes)

Since 2010, each President of the United States has dedicated the month of January as "Human Trafficking Prevention Month" to raise awareness about human trafficking and to educate the public on identification and prevention.

This document is a summary of proposed legislation and is prepared only as general information for use by the Democratic Members and Staff of the Pennsylvania House of Representatives. The document does not represent the legislative intent of the Pennsylvania House of Representatives and may not be utilized as such.