
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2028 Session of
2014

INTRODUCED BY SAINATO, BARRAR, LONGIETTI, ROZZI, V. BROWN,
BROWNLEE, THOMAS, MCGEEHAN, KORTZ, DAVIS, KOTIK, COHEN,
READSHAW, GILLEN, KINSEY AND MOLCHANY, FEBRUARY 19, 2014

REFERRED TO COMMITTEE ON JUDICIARY, FEBRUARY 19, 2014

AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the
2 Pennsylvania Consolidated Statutes, further providing for
3 order of probation and for sentencing proceeding generally.

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

6 Section 1. Section 9722 of Title 42 of the Pennsylvania
7 Consolidated Statutes is amended by adding a paragraph to read:

8 § 9722. Order of probation.

9 The following grounds, while not controlling the discretion
10 of the court, shall be accorded weight in favor of an order of
11 probation:

12 * * *

13 (11.1) The defendant has been diagnosed with
14 posttraumatic stress disorder.

15 * * *

16 Section 2. Section 9752(a)(3) of Title 42 is amended to
17 read:

18 § 9752. Sentencing proceeding generally.

1 (a) General rule.--As soon as practicable after the
2 determination of guilt and the examination of any presentence
3 report, a proceeding shall be held at which the court shall:

4 * * *

5 (3) Hear argument by the defense on the applicability of
6 the various sentencing alternatives to the facts of the case,
7 including whether the defendant has been diagnosed with
8 posttraumatic stress disorder, and may hear argument by the
9 prosecution.

10 * * *

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