
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1261 Session of
2015

INTRODUCED BY GREENLEAF, KITCHEN, VULAKOVICH AND WHITE,
MAY 18, 2016

REFERRED TO JUDICIARY, MAY 18, 2016

AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the
2 Pennsylvania Consolidated Statutes, in post-trial matters,
3 further providing for eligibility for relief and for
4 jurisdiction and proceedings.

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

7 Section 1. Sections 9543(a)(1) and 9545(b)(2) of Title 42 of
8 the Pennsylvania Consolidated Statutes are amended to read:

9 § 9543. Eligibility for relief.

10 (a) General rule.--To be eligible for relief under this
11 subchapter, the petitioner must plead and prove by a
12 preponderance of the evidence all of the following:

13 (1) That the petitioner has been convicted of a crime
14 under the laws of this Commonwealth. [and is at the time
15 relief is granted:

16 (i) currently serving a sentence of imprisonment,
17 probation or parole for the crime;

18 (ii) awaiting execution of a sentence of death for
19 the crime; or

1 (iii) serving a sentence which must expire before
2 the person may commence serving the disputed sentence.]

3 * * *

4 § 9545. Jurisdiction and proceedings.

5 * * *

6 (b) Time for filing petition.--

7 * * *

8 (2) Any petition invoking an exception provided in
9 paragraph (1) shall be filed within [60 days] one year of the
10 date [the claim could have been presented] when the grounds
11 for the exception were discovered or reasonably could have
12 been discovered.

13 * * *

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