
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 881 Session of
2023

INTRODUCED BY MUTH, KANE, SAVAL, HAYWOOD, FONTANA, COSTA,
CAPPELLETTI, KEARNEY AND BREWSTER, AUGUST 16, 2023

REFERRED TO JUDICIARY, AUGUST 16, 2023

AN ACT

1 Amending Title 61 (Prisons and Parole) of the Pennsylvania
2 Consolidated Statutes, providing for solitary confinement.

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

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

7 CHAPTER 51

8 SOLITARY CONFINEMENT

9 Sec.

10 5101. Definitions.

11 5102. Solitary confinement prohibited.

12 5103. Alternative disciplinary measures to solitary
13 confinement.

14 § 5101. 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 "Correctional institution or facility." A State correctional

1 institution, county correctional institution, a facility which
2 confines a juvenile under 42 Pa.C.S. Ch. 63 (relating to
3 juvenile matters), an institution which detains inmates in
4 accordance with Chapter 71 (relating to interstate compacts) or
5 an intergovernmental service agreement or other contract with
6 any Federal, State or county agency, including United States
7 Immigration and Customs Enforcement.

8 "Solitary confinement." The confinement of an inmate in a
9 correctional institution or facility due to disciplinary,
10 administrative, protective, investigative, medical or other
11 classification, in a cell or similarly confined holding or
12 living space, alone or with other inmates for approximately 20
13 hours or more per day, with severely restricted activity,
14 movement and social interaction.

15 § 5102. Solitary confinement prohibited.

16 An inmate may not be placed in solitary confinement.

17 § 5103. Alternative disciplinary measures to solitary
18 confinement.

19 A correctional institution or facility shall implement
20 alternative disciplinary measures to solitary confinement. The
21 alternative disciplinary measures may include the following:

22 (1) Limiting contact visits.

23 (2) Restricting visitors to only the inmate's immediate
24 family.

25 (3) The loss of work opportunities.

26 (4) Assigning additional unpaid work duties for no more
27 than 14 days.

28 (5) No more than 14 days of the loss of telephone,
29 entertainment or yard time privileges.

30 (6) No more than 14 days of the loss of commissary

1 privileges.

2 (7) Confining an inmate to the inmate's own cell in the
3 general population area.

4 (8) A reprimand or warning.

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