

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

NO. 2
Session of 2023

INTRODUCED BY _____ April 3, 2023

REFERRED TO SENATE LAW AND JUSTICE COMMITTEE

Eliminating Cash Bail

Recognizing the Commonwealth's duty to remain impartial, and to equally apply the law regardless of status;

committing to eliminating disparities between disadvantaged defendants and those of means as it relates to pre-trial arrangement of bail;

Pennsylvania will take a "presumption of release" view toward arrests of individuals accused of misdemeanors and felony crimes. A judge in the Commonwealth of Pennsylvania may not set cash bail on a detained individual set to go to trial unless:

- I. the state can prove that the defendant poses a specific, real and present threat to a person, or has a high likelihood of flight.
- II. the defendant is accused of forcible felonies, such as murder, battery, burglary or carjacking.

This act shall take effect 120 days from the date of passage.