

Section 2. In the event that the action is not brought to trial within the period of time as herein provided, no court of this state shall any longer have jurisdiction thereof, nor shall the untried indictment be of any further force or effect, and the court shall enter an order dismissing the same with prejudice.

Loss of jurisdiction by the court.

Section 3. The provisions of this act shall not apply to any person adjudged to be mentally ill.

Mentally ill.

Section 4. The costs of transporting any prisoner between the place of his confinement and the county wherein the untried indictment is pending shall be borne by the said county. It shall be the responsibility of the Sheriff (or his deputy) of the said county to transport such prisoner.

Transportation costs.

Section 5. This Act shall become effective July 1, 1957.

Effective date.

APPROVED—The 28th day of June, A. D. 1957.

GEORGE M. LEADER

No. 235

AN ACT

Amending the act of August 6, 1941 (P. L. 861), entitled "An act to create a uniform and exclusive system for the administration of parole in this Commonwealth; establishing the 'Pennsylvania Board of Parole,' conferring and defining its jurisdiction, duties, powers and functions, including the supervision of persons placed upon probation in certain designated cases; providing for the method of appointment of its members; regulating the appointment, removal and discharge of its officers, clerks and employes; dividing the Commonwealth into administrative districts for purposes of parole; fixing the salaries of members of the board and of certain other officers and employes thereof; making violations of certain provisions of this act misdemeanors; providing penalties therefor; and for other cognate purposes, and making an appropriation," changing the order of service of sentences of persons who are recommitted upon conviction of a crime, committed while on parole, and further defining the jurisdiction, duties, powers and functions of the Pennsylvania Board of Parole.

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

Pennsylvania Board of Parole.

Section 1. Section 21.1, act of August 6, 1941 (P. L. 861), entitled "An act to create a uniform and exclusive system for the administration of parole in this Commonwealth; establishing the 'Pennsylvania Board of Parole,' conferring and defining its jurisdiction, duties, powers and functions, including the supervision of persons placed upon probation in certain designated cases; providing for the method of appointment of its

Section 21.1, act of August 6, 1941, P. L. 861, added August 24, 1951, P. L. 1401, further amended.

members; regulating the appointment, removal and discharge of its officers, clerks and employes; dividing the Commonwealth into administrative districts for purposes of parole; fixing the salaries of members of the board and of certain other officers and employes thereof; making violations of certain provisions of this act misdemeanors; providing penalties therefor; and for other cognate purposes, and making an appropriation," added August 24, 1951 (P. L. 1401), is amended to read:

Disposition of
convicted parole
violators.

Section 21.1. (a) Convicted Violators. Any parolee under the jurisdiction of the Pennsylvania Board of Parole released from any penal institution of the Commonwealth who, during the period of parole or while delinquent on parole, commits any crime punishable by imprisonment, for which he is convicted or found guilty by a judge or jury or to which he pleads guilty or nolo contendere at any time thereafter in a court of record, may, at the discretion of the board, be recommitted as a parole violator [to the penal institution from which he was paroled or to any other institution to which legally transferred]. If his recommitment is so ordered, he shall be reentered to serve the remainder of the term which said parolee would have been compelled to serve had he not been paroled, and he shall be given no credit for the time at liberty on parole. The board may, in its discretion, reparole whenever, in its opinion, the best interests of the prisoner justify or require his release on parole and it does not appear that the interests of the Commonwealth will be injured thereby. [If a new sentence is imposed upon him to be served in the same institution from which paroled, then the service of the balance of said term originally imposed shall precede the commencement of the new term imposed for the latter crime. If a new sentence is imposed upon him to be served in any institution other than the one from which paroled, then the service of the new term for the latter crime shall precede the commencement of the balance of the term originally imposed.] The period of time for which the parole violator is required to serve shall be computed from and begin on the date that he is taken into custody to be returned to the institution as a parole violator.

If a new sentence is imposed upon such parolee, the service of the balance of said term originally imposed shall precede the commencement of the new term imposed in the following cases:

(1) If a person is paroled from any State penal or correctional institution under the control and supervision of the Department of Justice and the new sentence imposed upon him is to be served in any such State penal or correctional institution.

(2) *If a person is paroled from a county penal or correctional institution and the new sentence imposed upon him is to be served in the same county penal or correctional institution.*

In all other cases, the service of the new term for the latter crime shall precede commencement of the balance of the term originally imposed.

Where the new term is to be served last, or the balance of the term originally imposed is to be served last, and such service is, in either case, to be had in any penal or correctional institution under the control and supervision of the Department of Justice, any male person upon recommitment shall be sent to the nearest Correctional Diagnostic and Classification Center for service of the remainder of the original term at such institution as shall be designated by the Deputy Commissioner for Treatment of the Bureau of Correction. Any female person shall be recommitted to the State Industrial Home for Women at Muncy.

(b) **Technical Violators.** Any parolee under the jurisdiction of the Pennsylvania Board of Parole released from any penal institution in the Commonwealth who, during the period of parole, violates the terms and conditions of his parole, other than by the commission of a new crime of which he is convicted or found guilty by a judge or jury or to which he pleads guilty or nolo contendere in a court of record, may be recommitted after hearing before the board [to the institution from which he was paroled or to any other institution to which legally transferred as a parole violator]. If he is so recommitted, he shall be given credit for the time served on parole in good standing but with no credit for delinquent time, and may be reentered to serve the remainder of his original sentence or sentences. Said remainder shall be computed by the board from the time his delinquent conduct occurred for the unexpired period of the maximum sentence imposed by the court without credit for the period the parolee was delinquent on parole, and he shall be required to serve such remainder so computed from the date he is taken into custody on the warrant of the board. Such prisoner shall be subject to reparole by the board whenever in its opinion the best interests of the prisoner justify or require his being repared and it does not appear that the interests of the Commonwealth will be injured thereby.

Disposition of
convicted technical
violators.

(c) **Recommitment.** *Technical violators shall be recommitted for service of the balance of said term originally imposed to penal or correctional institutions as follows:*

(1) *If paroled from a county penal or correctional*

institution, to the same institution or to any other institution to which legally transferred.

(2) If paroled from the Pennsylvania Industrial School at Camp Hill and upon recommitment such person has not attained the age of twenty-one years, to the same institution.

(3) If paroled from the State Industrial Home for Women at Muncy, to the same institution.

(4) If paroled from any other State penal or correctional institution under the control and supervision of the Department of Justice, to the nearest Correctional Diagnostic and Classification Center wherein the person shall be classified for service of the balance of the term in such institution as shall be designated by the Deputy Commissioner for Treatment in the Bureau of Correction.

APPROVED—The 28th day of June, A. D. 1957.

GEORGE M. LEADER

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No. 236

AN ACT

Amending the act of July 7, 1955 (P. L. 266), entitled "An act authorizing the Department of Property and Supplies, with the approval of the Governor, to sell and convey one acre, more or less, of land situate in Greene Township, Franklin County," revoking authority of the Department of Property and Supplies to sell and convey a tract of land situate in Greene Township, Franklin County.

Real property.

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

Section 1, act of July 7, 1955, P. L. 266, amended.

Section 1. Section 1, act of July 7, 1955 (P. L. 266), entitled "An act authorizing the Department of Property and Supplies, with the approval of the Governor, to sell and convey one acre, more or less, of land situate in Greene Township, Franklin County," is amended to read:

Department of Property and Supplies, with approval of Governor, authorized to sell certain land in Franklin County.

Section 1. The Department of Property and Supplies, with the approval of the Governor, is hereby authorized on behalf of the Commonwealth of Pennsylvania to sell at public sale to the highest bidder the following described [two tracts] tract of land situate in the Township of Greene, County of Franklin and Commonwealth of Pennsylvania, bounded and described as follows:

Description.

[Parcel No. 1] Beginning at an iron pin in the east-
erly side of Horst Avenue about one hundred twenty-