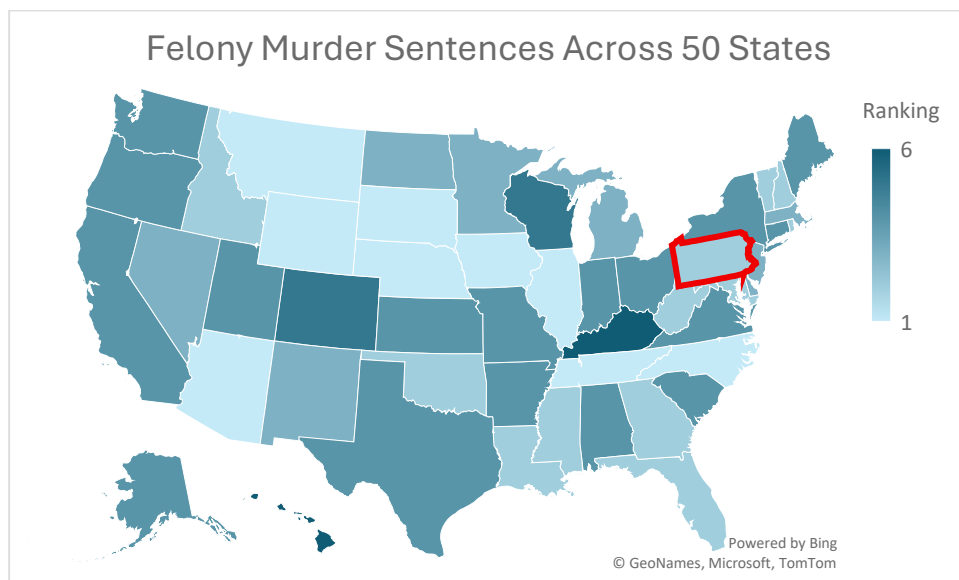


The Penalty Proposed Under the Pennsylvania Senate's Felony-Murder Bill (SB 1400) Remains One of the Most Severe in the Country Updated 10/16/2026

The sentencing ranges and statutory frameworks for felony murder differ around the country. Below are the various buckets states fall into, ranked most to least severe. **Pennsylvania's proposed legislative fix under SB 1400 falls into the second harshest sentencing category.**

1. Most Severe: LWOP Only Option
- 2. LWOP Option**
3. Culpability Limitations &/or Affirmative Défense with LWOP option
4. Long term imprisonment (over 50-year range, life with parole)
5. Moderate term imprisonment (under 50-year range, life with parole)
6. Least Severe: Abolished



As written, SB 1400 has a mandatory minimum of 35 years. The following states have a **lower minimum term than SB 1400**:

- | | | |
|--------------|------------------|------------------------|
| ★ Alabama | ★ Maine | ★ Utah |
| ★ Arkansas | ★ Maryland | ★ Texas |
| ★ California | ★ Mississippi | ★ Virginia |
| ★ Colorado | ★ New Jersey | ★ Washington |
| ★ Florida | ★ Rhode Island | ★ Wisconsin |
| ★ Kansas | ★ South Carolina | ★ District of Columbia |
| ★ Louisiana | | |

Below is a list of mechanisms other states have to address degree of criminal responsibility that SB 1400 lacks:

- Degrees of Culpability **(18 states)**
- Mens Rea Requirement **(9 states)**
- Actual Participant Requirement **(2 States)**
- Affirmative Defense **(9 states)**

About the Crime and Justice Institute: The Crime and Justice Institute is a trusted, nonpartisan leader in justice system improvement, uniquely combining policy expertise, practitioner experience, and rigorous data analysis with deep partnerships and cross-system collaboration. We help stakeholders uncover root causes, build consensus, and implement evidence-based responses to complex justice and behavioral health challenges. For nearly two decades, CJI has partnered with leaders, practitioners, and communities across the country, providing strategies that strengthen systems and improve outcomes.